

**MINUTES OF WEST HARTFORD TOWN COUNCIL MEETING
MARCH 10, 2009 LEGISLATIVE CHAMBER AGENDA No. 28**

President Scott Slifka called the meeting to order at 7:37 P.M.

President Slifka: Okay, we are going to attempt to call the Council Meeting to order. It will be a big crowd. We will begin with the Pledge of Allegiance. Sorry, we are starting the Council Meeting. Thanks.

ITEM #2: PLEDGE OF ALLEGIANCE

President Slifka: Okay. May we have a roll call please, Ms. Labrot.

ITEM #3: ROLL CALL

All were present.

President Slifka: Thank you, Ms. Labrot. That gets us to the Public Forum.

ITEM #4: PUBLIC FORUM

President Slifka: The Public Forum section of the Town Council Meeting provides our citizens with the opportunity to address items on the Town Council Agenda, those items that we will act upon at tonight's meeting. To ensure that everybody has an opportunity to be heard and that the Council can efficiently administer its business, certain rules have been traditionally followed by the Council over the years. They are fairly simple. If you are to speak at the Public Forum, first please state your name and address for the record. In the event that you are not from West Hartford, ie., if you are not a taxpayer or resident, please let us know, and we will entertain a motion to suspend the rules to allow you to speak. You have up to 3 minutes to speak, and you are allowed to speak to any item that is on the Agenda, which is not the subject of a Public Hearing.

Our first speaker is Roger Smith. Mr. Smith, my understanding is that you are here representing the vast majority of the people sitting in the audience and that is the the Clean Energy Task Force, and as a result of that, you have 5 minutes per the Council rules, as a representative of that group.

Roger Smith: My name is Roger Smith. I'm a resident of 65 Highland Street, West Hartford. I am here as a representative of the West Hartford Clean Energy Task Force, which is a council-appointed body and also a volunteer with Sustainable West Hartford, which there are a number of folks here in the audience with stickers who are supporting these efforts to make West Hartford a greener community. And I just want to say that we are all really proud to be members of West Hartford, of our community here, and that we really appreciate being called on by the Council to work together to try to help our town overcome a common problem, which is skyrocketing energy costs, and what we can do about it. So over the past few months, we worked together to volunteer our time to, you

know, come up with a comprehensive approach that would keep West Hartford from missing out on opportunities to further energy efficiency, clean energy generation, fuel efficiency for our vehicle fleet, and the practices, the things that we can do as individuals, as members of the town community, as people who use town buildings, to help cut the town's energy budget. So the document that you have before you today, I think it is something that we can all be proud of as a community. I have shared it with the State Energy Efficiency Fund, the State Clean Energy Fund, and other experts in the industry, and they were really impressed that, you know, a group of volunteers locally is able to put together a document like this that can potentially be a template for other towns. So the real vision of this plan is that over the next decade, we do everything that is cost effective efficiency. That means for a dollar that you put into a project, it saves you more than a dollar over the next decade. That was really the approach that we took here and that is looking at our lighting, our cooling, our heating, thinking comprehensively about how we are going to take the buildings and the facilities we have today and turn them into part of the solution rather than part of the problem, and that is ambitious. It is something that is going to take real effort to implement, but if we don't do it, we are going to be leaving money on the table and ultimately, we are going to wake up at a time when fossil fuel prices have yet again risen and said, you know, man I wish we had done something back when we were warned to. Back a decade ago. We might be thinking, if only we had started back in 1998 or 1999, we might be in an even better place than we are today. So I think that is part of the vision behind it. And it is essential that we have staffing that is appropriate to actually implement this plan. Things like this don't implement themselves. So it is really important that it be a priority to invest in energy efficiency and green buildings and renewable energy across the board. So with that, I'll just hit a couple of other highlights.

There is a section in here which talks about if we are going to build any major new buildings or do any major renovations, that we should build them to green building standards. One standard out there that the state and others have adopted is called LEED. This talks about setting a LEED gold standard for new buildings. What that means is that not only will the building have energy efficient and renewable energy components to it but also looks at things like using natural daylight instead of artificial lights, trying to improve indoor air quality and using materials and paints and other things that don't contribute to poor indoor air quality and harm to the health of the building occupants. So it is really...it's a more holistic way about thinking about building. And if we are looking at a major building project, that is the perfect time to build in efficiencies and really make a building that we are going to want to have for the next 50 years, just as all the schools and all the buildings we have today are, really for the most part, things that we have built in the 1950s here. So it is with that vision that we really encourage the town to think about that.

There is another person, Rob Bell, who really helped us write the transportation section, and he is going to focus a little bit on that in his remarks.

But I think that's, you know, that's kind of the basic idea here, is thinking about how can we be more efficient as a town. How can we do more with the energy dollars that we have. And how can we try to mitigate increasing price spikes and fossil fuels by combination of looking at renewable energy where it makes sense and cutting costs today

by implementing cost effective efficiency measures and looking at efficiency when we do projects. So that's it in a nutshell, and I appreciate your time.

President Slifka: Thank you, Mr. Smith. We appreciate your work and maybe if everybody who came with you wants to raise their hand so we can recognize them? Thank you. More to come later on the Agenda. Our next speaker is Rita and Boris Kantor.

Boris Kantor: (Inaudible)

President Slifka: Thank you Mr. Kantor. We will give you an A for attendance then. Thank you. And Mrs. Kantor too. Our next speaker is Robert J. Milne.

Robert Milne: Does this belong to someone? Can you remove it please? I am here to speak about the change in the rules that deal with the person's right to speak. My name is Robert Milne. I live on 3 Osage Road. Many people in this country are born abroad, have given great sacrifices for the right to speak. My experience with this Council is simple. That if they don't like what you have to say, they find a way to avoid the subject. In this latest rules change, which I believe is precipitated by the Mayor, it is nothing more than a vehicle that thwarts public opinion and coupled with that, thwarts information that should go to the public. I have stood here repeatedly and have been concerned with Mr. Verrengia as a town employee sitting on the Council.

President Slifka: Okay. Mr. Milne, you are out of order.

Robert Milne: Ms. Cantor is not a licensed CPA.

President Slifka: Mr. Milne, you know, you are testing my patience. We will discuss this later but this is entirely inappropriate. You asked to speak about the rules changes. You can talk about the rules changes. You are not, you are not going to be permitted to slander members of the Council.

Robert Milne: It's not slander. You are misleading the public, Mayor, yourself. You have repeatedly misled the public with regard to many of the issues and you have been the source of most of this, along with the gentleman sitting next to you who has, again, made misrepresentations right along. I've been concerned about 3 of you working for the same company..

President Slifka: Here we go again. Here we go again.

Robert Milne: And again, we disagree, but you shouldn't be using this process to thwart ..

Councilor Davidoff: Point of order, Mr. Mayor.

President Slifka: Mr. Davidoff.

Councilor Davidoff: Is the speaker going to address the item that they requested to speak to?

Robert Milne: Yes. I should be allowed to do this. And I wish you wouldn't deal with me. I think I specifically in my communications asked to exclude you. So you should recuse yourself because it is an issue between us.

Councilor Adler: I'll tell you what. I'll play the role of the minority leader tonight. Point of order, Mr. Mayor. We are not dealing with the issues tonight that you...

Robert Milne: Let me finish my talk....

President Slifka: Mr. Adler has the floor.

Councilor Adler: I think you've gone off the page at this point.

Robert Milne: I don't agree. I disagree with you.

President Slifka: Continue.

Councilor Adler: Well, I think at this point, I would like to see you get wrapped up. Go right to the issues that you've already, you know, handed out to us. You are way off the page.

Robert Milne: This is dealing with the 3 minutes that I am entitled to regarding Item 15 and if you would look at the Agenda, you would see that that is what I signed up for and I am entitled to 3 minutes and with my other submission, that is another 5 minutes. I wish you would follow the rules. If you would just read that rule. If you would just read the rules, you would see why I am here.

Councilor Adler: Mr. Mayor, I would make a recommendation to . I'd make a recommendation to wrap up.

President Slifka: Mr. Milne, you are going to have to wrap up.

Robert Milne: I disagree with your attempts to thwart the public's right to know. I've given information after information, pieces of information, which clearly flies against anything that you have been able to offer. You haven't offered a stitch of information to refute anything that I've said other than telling the public I slander. Thank you.

President Slifka: Time's up. Next speaker is Robert Bell.

Robert Bell: Good evening. Thank you. I'm Robert Bell. I live at 14 Cobbs Road in West Hartford. Thank you for the opportunity to address the Town Council and the public. I am here to talk about Item 17, the West Hartford Comprehensive Energy Plan.

I'll be brief. I know you have a long evening ahead of you. I'll just address quickly the vehicles in transportation section of that plan. I do strongly support the plan. I did work with the Clean Energy Task Force to develop the plan. In brief, we recommend that if the town...we think it is practical and doable that the town can reduce vehicle fuel use by 5% next year over this year's baseline, and by 10% by year 2011. I think we'd produce about \$35,000.00 in savings the first year and about \$70,000.00 in savings the second year, in addition to the vehicle emissions reductions and the lessening of the contribution to the global warming issue, as well as local air pollutants that would be achieved. We think it is doable in terms of energy efficiency and also by enhancing the existing culture of conservation that exists in the town in terms of reducing vehicle miles and idling and finding alternative ways to use the existing vehicles, for instance using the most fuel efficient vehicles first. So I strongly recommend that you give the plan serious consideration and adopt it. Thank you for your time.

President Slifka: Thank you very much, Mr. Bell. The next speaker is Dylan Kletter.

Boris Kantor: Excuse me, Mr. Mayor, can somebody turn up the microphones?

President Slifka: We'll do our best. Thank you, Mr. Kantor.

Dylan Kletter: Can you hear this?

Audience says yes.

President Slifka: You might want to move it closer. There we go. That might solve it.

Dylan Kletter: Hi. Dylan Kletter, 16 Sunny Reach Drive, speaking in under 45 seconds in support of the energy plan. I'll just give you one different viewpoint aside from the, you know, benefits of life cycle costs. Let's continue to brand this town. I didn't grow up here. I chose to live here. And the reason I chose to live here and raise my family here is that this town has branded itself as a leader in the state. A forward-thinking, progressive town. And this energy plan is a forward-thinking, progressive document, and it is going to continue to set this town apart. In making this plan, we have been contacted by other towns and other municipalities in Connecticut who wanted to look to us as a template for how to do these things. These are the types of things that drew people like me to this town. So in addition to all of the great engineering things that are a part of this plan, think about that when you are thinking about this resolution. Thank you.

President Slifka: Thank you, Mr. Kletter. The next speaker is Judy Aron.

Judy Aron: Good evening, Mr. Mayor and members of the Town Council. My name is Judy Aron and I live at 40 North Quaker Lane. I am here to address the Item No. 15 regard to the changes that you have proposed for the standing rules. Now I understand the purpose of the Town Council meeting is to conduct business, the business of the town, as well as to obtain public comment. I was sort of concerned to see that you are proposing to move communications at the end of the meeting, towards the end of the

meeting, as opposed to where it is now, in the beginning more of the Town Council meeting. I believe that that is inconvenient to the public because, you know, they will have to stick around, wait until the end of the meeting in order to get their 5 minutes. I do understand the difference between the public portion, public comment portion and the communications portion. With the communications portion, you have to write a letter and asked to be placed on the Agenda. You get 5 minutes to speak. Well, I also think that Rule No. 7 that you want to change, the communications which are repetitious of matters previously addressed by the maker or which seek to address subjects regarding, which the Council has no jurisdiction or authority, shall not be received. I wonder what about updates. I mean if people have some sort of update that they want to give to a particular issue, that sort of stops them from coming up for a second or third time to give you information. So I don't think that that is really appropriate. Some members here of the town also see that as a means of censorship. I mean clearly, it seems to me, that these changes are in response to certain members of the community who perhaps, with communications that you many not agree with. And I think if we look at the Constitution of the State of Connecticut, Article 1, Section 4 says every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that liberty. They are responsible for the abuse of that liberty. I think with the spirit of that in our State Constitution, that, you know, we don't want to be censoring people. You may not want to hear what people have to say and sometimes it is difficult, but I think that we ought to all remember the saying by Voltaire, "I may not agree with what you say, but to the death, I will defend your right to say it." And I think you should probably keep that in mind instead of punishing the entire class because maybe you feel that certain members of the classroom are misbehaving. It is not what we are all about here. So I thank you and I hope that you will seriously reconsider these changes and work to have a different kind of resolution. Thank you.

President Slifka: Thank you, Ms. Aron. The next speaker is Tom Coughlin.

Tom Coughlin: I'm Tom Coughlin. I just purchased a house about a year ago at 109 Brookmoor in the Buena Vista area. I am here in support of the energy plan for the town and I'll be very brief. I came to the town because of its interest in sustainability and I think that the energy plan is one of the best things that, I think that the energy plan is one of the best things that the town could do for its budget and the environment. Thank you.

President Slifka: Thank you very much, Mr. Coughlin. That concludes the sign-up sheet. If there is anybody who did not sign up who wishes to speak tonight on the Agenda, please come up. Mr. Kantor? Okay. You changed your mind.

Boris Kantor: I am not going to talk about Item 15, but I'm not really familiar what is in the energy plan. The only question for proponents of energy plan, I want to know, is there any expense involved in implementing this energy plan and how it would affect our budget?

President Slifka: Okay. Just for the record, Mr. Kantor is talking about Item 17. That is Boris Kantor, 81 Iroquois Road, here in West Hartford. Okay. I think somebody else

had their hand up. Please come up. If there is anybody else, maybe if you could just make your way down and we can get through people quicker.

Linda DiNapoli: Linda DiNapoli, 214 Mohegan Drive. I am here to address Item No. 15. Unfortunately for the citizens of West Hartford, this will be one of the worst evenings on record as we possibly watch our freedom of speech muzzled by a group of councilmen and women and our Mayor. I certainly hope that there are several of you with enough courage sitting at the Council table to step up to the plate and assist citizens by voting no and maintaining the rights of West Hartford citizens to their free speech. It is appalling that this issue has even been brought forth. I agree with Mrs. Aron, Mr. Milne, and Voltaire. My uncle, some of my classmates from Conard High School, other friends, and citizens of West Hartford have fought in wars to protect our constitution, a component of which is the right to free speech. Apparently, this Council is prepared to show no respect and/or civility to the citizens of West Hartford who wish to speak up regarding issues, many of which have never before been questioned by taxpayers. Is that the real issue here tonight, folks? Is participation on the part of taxpayers such a bad idea? Many of us have many good ideas. Embrace us. At least the Council can be open toward democracy and let the taxpayers and citizens be heard. The truth brought forth by citizens in a public forum like this one must be allowed to go forth for many generations to follow. I would hate to think that my son were silenced. This is merely an attempt to thwart the truth seekers who wish to present what may be poor management practices in this town and possibly, possibly lack of fiscal restraint and responsibility. For one small group of individuals to decide who can or cannot speak and about what, is unbelievable. The gall of anyone taking that upon themselves is horrible and the practices like that should be banned immediately. This is real news and according to Mr. Van Winkle who appeared recently on a Channel 5 TV program wherein he stated that the function of the papers is to print the news. Let's see the Hartford Courant, the West Hartford News, or the West Hartford Life rise to the occasion. Kudos to any of the news outlets who actually print the hard news as it happens here in West Hartford. To those editors, I contend that the standing rules or changes is big news. The taxpayers will finally get it when the financial stakes rise in the form of taxes. Right now, we have a 4-1/2% phase-in plus whatever other amount this Council deems necessary. We still do, however, have a referendum at our disposal. The standing rules have been around for approximately 40 years and have served the citizens and all parties well. Why is it that this group of individuals convened a meeting to change them with little notice to the public? Why? I will leave that to you to make that assessment. Former President Ronald Reagan said it best and I quote, "Government's view of the economy could be summed up in a few short phrases. If it moves, tax it. If it keeps moving, regulate it. And if it stops moving, subsidize it." Good evening.

President Slifka: Okay. We had another speaker.

Rachel Hurvitz: Hi, my name is Rachel Hurvitz of 1579 Boulevard. I am here in support of the new energy plan. I was one of the members of Sustainable West Hartford that helped draft the plan. I spent most of my energy and contributions working on the idea of adding a municipal energy manager as a position to the town. During these rough

economic times, we need to remember that it is important to invest in these programs now and not to wait until we are in a worse economic situation. Essentially, having a town energy manager is very important to oversee projects. Pretty much like a project manager, this position will supervise the start of projects, which will help the town reach goals like LEED energy standards. It will track projects, determine what needs to be done on specific things, follow up with contractors, organize groups and organizations, and get people together to accomplish these goals. Without a town energy manager, I don't think that everything we've set forth in our energy plan will be possible, and I really hope that you can consider adding this position. Thank you.

President Slifka: Thank you very much. Okay. We are going to move to No. 5, Mr. Coursey, but I think and something we neglected to cover...

Vice President Coursey: Actually, if you will just allow me just a brief personal privilege. A couple of weeks ago, my mother fell and broke her hip and I am happy to say she is doing much better. She is out of the hospital and at St. Mary's rehabbing, but I know that she is watching tonight. She is not a frequent viewer of this show. I told her that she should tune in because if she has any trouble sleeping, it might help put her to sleep. But I think maybe I was a little wrong, but I just wanted to say I love you mom. Work hard and we want you to get home real soon. Thank you.

President Slifka: That's a lot of pressure for the rest of us whose mothers might be watching. Collective, we all love you mom. Right? In a group. And we love you, Mrs. Coursey. No. 5.

ITEM 5: MINUTES OF TOWN COUNCIL MEETING ON 2-24-09. OF PUBLIC HEARING ON ORDINANCE CREATING TOWN OF WEST HARTFORD OTHER POST EMPLOYMENT BENEFITS TRUST ON 2-24-09.

RECEIVED

Vice President Coursey: I move that we receive.

Councilor Brennan: Second.

President Slifka: Motion has been made and seconded. Any discussion? Seeing none. All those in favor? Those opposed? Motion carriers. There are no Petitions. We go to Consent Calendar.

ITEM 6: PETITIONS: NONE.

ITEM 7: CONSENT CALENDAR: ITEMS 13 AND 22 TO RECEIVE.

Vice President Coursey: I move that we place Items 13 and 22 on the Consent Calendar.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. Discussion? Seeing none. All those in favor? Those opposed? Motion carries. We are up to Communications. No. 8.

COMMUNICATIONS:

ITEM #8: FROM LAURA BELL (2-25-09) REQUESTING PERMISSION TO ADDRESS THE TOWN COUNCIL REGARDING NO PARKING ON FARMINGTON AVENUE.

RECEIVED

Vice President Coursey: I move that we receive.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. All those in favor? Those opposed? Motion carries. Ms. Bell, you have 5 minutes.

Laura Bell: Okay. Hi. My name is Laura Bell. I'm live at 716 Farmington Avenue, West Hartford, Connecticut. Okay. I just would like to thank you guys, thank the panel and the Council for addressing this situation I have here. I've been living on West Hartford...I've been living at West Hartford for like 5 years now. I am having a problem with the parking. Every morning I wake up, I have tickets on my vehicle. I can respect the law that we can't park 2:00 to 5:00 A.M., so I've been coming out of my house at 2:00 in the morning and sitting in my vehicle until 5:00 so that I can't get no tickets. I did everything to prevent it. I talked to the chief of police. I even talked to the hearing officer. I went to Hartford to park. My family lived too far for me to park. I even asked neighbors. I went to the police station to try to, you know, ask them why there is no parking from 2:00 to 5:00 and they couldn't give me an answer. The only thing they told me, they suggested to me not to park there. But what I am trying to say is that, you know, I've been working and I got laid off and I have over like \$800.00 in tickets that I can't even afford. I'm surprised I don't see none of my neighbors here. Everybody in my community have been complaining about this, but you know, nobody is not here, so. You know, I'm here. I would like to know what can I do about this situation or what can you guys help me with from getting these tickets each morning? Every morning I have them on my vehicle. I asked the gas station. I asked Walgreens. I mean I asked everybody and then it's days like when it's a parking ban, I have to drive all day, all day. You know, it's getting me real stressed out and it's getting me real depressed because I can't afford these tickets. I have to go over at my mother's house and stay the night sometimes but you know, I want to be at my own house. Basically, I've said everything. It's like, one officer had told me, it was 3:48 in the morning, and he told me when I see tickets on a vehicle, I can just go back in the house. And one officer told me, it was like 4:47 in the morning, he told me he seen me out here all morning and I can go back in the house. So I just would like to know, do y'all have any suggestions or any solutions?

This is really messing up my name at Motor Vehicle. When it is time for me to register, get it renewed, I can't. If you could help me with this situation, I would appreciate it.

President Slifka: Ms. Bell, I am very sorry about your situation, which we all became aware of through the letter that you sent to us, and I know that since we got it about a week ago, we've been consulting with our staff, and I know they've attempted to reach you. It is a difficult thing, but we understand your predicament and we are trying to find a solution. It is not something we are going to be able to do tonight, but we will be continuing to talk to you offline about this.

Laura Bell: Okay. Thank you.

President Slifka: Thank you for coming.

Laura Bell: You're welcome.

President Slifka: We are up to No. 9, Mr. Coursey.

ITEM 9: FROM LINDA M. DINAPOLI (3-2-09) REQUESTING PERMISSION TO ADDRESS THE TOWN COUNCIL REGARDING THE FOLLOWING: 1. STATE PROJECT NOS. 155-160/161, 2. SENIOR JOB BANK, 3. TRANE CHILLER RENTAL.

RECEIVED

Vice President Coursey: I move that we receive.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. Is there any discussion? Seeing none. All those in favor? Those opposed? Motion carries. Ms. DiNapoli, you have 5 minutes.

Linda DiNapoli: Yes sir. First, an aside to the young lady who spoke before me and in her defense, I would like to say, there are over 6 figures outstanding in zoning violation fines that have not been collected. So you are very low down on the totem pole.

Linda DiNapoli, 214 Mohegan Drive. I am requesting to hold over until the March 24th meeting my testimony regarding the State Projects 155, 160, 161.

I'll move on then to the Senior Job Bank. I have on many occasions utilized the services and sad at it's closure, but I do feel that there are many ways to reinstate this service for the Town of West Hartford and its residents, as well as surrounding areas. I am requesting that the town keep this space for the program available in the Town Hall for the future use of this organization. There are residents in town who have ideas relative to the continued operation of the Senior Job Bank and would like to utilize this space for the same operation in the future. I am prepared to assist those residents. Mr. Mayor, are you prepared this evening to make a commitment to the senior citizens and

others in West Hartford to foster the continuation of the Senior Job Bank, if only on a limited basis with volunteers from the community, schools, and others who may want to assist in this regard?

As it relates to the Trane Chiller, this goes to the energy audit. This is the air conditioning unit that the taxpayers rented last summer for \$11,900.00 per month, not including the set up charge, to cool the Town Hall. I have been watching for months now in the newspapers for a public notice asking for competitive bids on the installation for the coming summer months, and I've seen nothing. Did it go out to bid, Mr. Van Winkle? Quite frankly, with so many residents living without air conditioning, I am wondering why this massive use of energy in a year when we are trying to implement energy savings and use of taxpayers' funds, which could be better used in other areas, could not be eliminated completely. Do any of you this evening have the answer? Why not just throw open the windows and let the breezes flow through during the day and evening and save the town these funds. I wonder what could be maintained for our schools in terms of part-time staff, programs, or supplies for the cost of this item, which was far in excess of \$50,000.00 last year. That is not including, of course, the cost of the electricity to run this massive piece of equipment. By the way, Mr. Van Winkle, is it turned off at night? I suppose this could just be sent to committee, much like the DiBella matter. I came across today my Hartford Advocate from April 3, 2008, which went to committee in March of that year in West Hartford, and it mysteriously never reappeared. Why is that? Do you suppose there was something that needs to be kept from the public on that issue? The issue here now is we have a lot of items that go into this committee. Committees for me in West Hartford seem like that big black hole where everything disappears and we never hear about it anymore. As Ronald Reagan said, being my favorite tonight, I quote, "...no arsenal, or no weapon in the arsenals of the world, is as formidable as the will and moral courage of free men and women." You're looking at a free woman tonight and I'll be back midnight or later. Thank you.

President Slifka: Okay. The next speaker is Robert Milne. I'm sorry. Mr. Coursey, No. 10. I apologize.

**ITEM #10: FROM ROBERT J. MILNE (2-20-09, 2-25-09, AND 3-3-09)
REQUESTING PERMISSION TO ADDRESS THE TOWN COUNCIL
REGARDING ITEMS 222-226.**

RECEIVED

Vice President Coursey: I move that we receive.

Councilor Brennan: Second.

President Slifka: Motion has been made and seconded. All those in favor? Those opposed? Motion carries.

Robert Milne: Robert Milne, 3 Osage Road. Item 222, I already spoke about. I think the comments from other speakers were loud and clear.

Item 223 was a matter that I brought before the Council and, again, nothing has been resolved. I was concerned about the use of these cameras both on the east and west side of the room that were being used at times when I was speaking in situations where these cameras weren't being used with other speakers. During that presentation of that issue, the Mayor had proclaimed that the West Hartford television company was independent. While watching that show, I noticed on the credits that the Mayor, by special appointment, was serving to the Board of Directors. Again, I think, Mr. Mayor, your comments are misleading. You are affiliated and you have some association with that organization. I don't believe you are completely independent of it.

President Slifka: I am not a member of the Board of Directors. The Town Council sends more than one member just as a person that they would talk to...

Robert Milne: I disagree with your comments, so if you would please let me finish. Last time I was here, I spoke with regard to my concerns with the policemen who had been posted here and the concerns of the average employee making \$128,000.00 a year including benefits. We had a policeman in the audience doing a crossword puzzle. Mr. Davidoff, in the past, has commented that these police are here because of incidents (inaudible)

Councilor Adler: Point of order, Mr. Mayor.

Robert Milne: I can assure you that there were no officers or fireman doing crossword puzzles during 9/11. Item 225, it was reported to me that an officer was parked, found behind a Waldbaum store, sitting in a car combing his hair. Again, with the lady that spoke, with regard to her concerns, the police don't have enough time. I find it troublesome knowing that we have an officer employee sitting on the Council with a conflict of interest.

Item 226, recently with regard to a record request that I have asked that was pertinent to a matter for me, the police department unlawfully withheld that request. Instead of just going up to the counter to the record departments and asking for the records, they withheld it. They tried to cause me to put it in writing to create some sort of FOI request. As in the past with Mr. Van Winkle, he has, again, repeatedly made misrepresentations with regard to this so-called cost and, at this point, I would like to report to you, and again I'm bringing up another matter, Mr. Van Winkle has not voluntarily presented any information to support his public comments. I ask that you again hold yourself to the same standard that you hold speakers. Thank you.

President Slifka: Item 11, Mr. Coursey.

ITEM #11: FROM MILA LIMSON, TOWN PLANNER, (2-27-09) NOTICE OF TOWN PLANNER'S INTENTION TO APPROVE MINOR ARCHITECTURAL CHANGES TO SPECIAL DEVELOPMENT DISTRICT 18-R1-09 ADMINISTRATIVE AMENDMENT ON BEHALF OF THE FERNWOOD ESTATES HOMEOWNERS ASSOCIATION FOR APPROVAL TO ALLOW

**INDIVIDUAL CONDOMINIUM OWNERS THE OPTION OF INSTALLING
AWNINGS OVER THEIR EXISTING DECKS.**

RECEIVED

Vice President Coursey: I move that we receive.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. Is there any discussion? Seeing none. All those in favor? Those opposed? Motion carries. We are up to Unfinished Business, Mr. Coursey.

UNFINISHED BUSINESS:

ITEM #12: APPLICATION ON BEHALF OF EUGENE E. ANTICO AND NORMA L. G. ANTICO FOR A ZONE CHANGE FROM R-13 TO RM/O AT 309 NORTH MAIN STREET TO MODIFY THE USE OF THE FIRST FLOOR FROM A DOCTOR'S OFFICE TO A PROFESSIONAL OFFICE AND TO CONTINUE TO RENT THE SECOND FLOOR AS A RESIDENTIAL UNIT (PUBLIC HEARING 2-24-09 POSTPONED, PUBLIC HEARING 3-10-09).

APPROVED VOTE: 8 YES, 1 NO

Vice President Coursey: I move that we adopt.

Councilor Brennan: Second.

President Slifka: Motion has been made and seconded. Is there any discussion? Mr. Adler?

Councilor Adler: Sure. Thank you, Mr. Mayor. First of all, I would like to thank the Anticos, as well as Attorney Case, in stating their case on changing the zoning from medical to professional use. I can certainly understand the neighbors and the concerns around potentially eroding of a suburban environment. But from the Anticos' standpoint, as Attorney Case said, they can continue to have a medical office there for indefinitely. So all I ask is first of all, I will be supporting this application. I think it is very important that the Anticos, as well as the residents, continue to work together even outside of the TP&Z when there is a Special User Permit change when you do get a tenant in there. But I think it is very important that you build a healthy relationship with your neighbors, and I would expect that, likewise, the neighbors should also come to you folks too just to be able to have that dialogue. I think if that dialogue is there, I think you will see probably a lot of good success there. The flip side is, if we didn't change it and you couldn't find an appropriate tenant, that piece of property probably could stay vacant knowing the economic climate. It probably could stay vacant for quite a while. So now, what we've done is, hopefully if this application does go through, you've opened it up to a much

broader area of professional service that could be there. So, I just want to thank everyone I want to thank the residents. I want to thank the Anticos. And Attorney Case I think you did a good job teeing it up for us, so thank you.

President Slifka: Thank you, Mr. Adler. Mr. Coursey?

Vice President Coursey: Thank you, Mr. Mayor. I also will be supporting this application. A little bit of history. The Anticos first came before us in November of 2007 with basically the same application. There was some concern on the part of their neighbors that the property, you know, maybe wasn't quite up to what their standards were. To the Anticos' credit, they went back to the drawing board. They did some improvements to their property. They gave us a very expansive, I'm sure expensive, list of improvements that they have made. I have been by the property a few times in advance of this hearing and it looks wonderful. That is really the way the process, I think, is supposed to work. I thought you had a very good application before, but I think now in listening and being a good neighbor, you've gone back and done the right thing. I'm excited that you are willing to invest here in West Hartford and wish you all the best.

President Slifka: Thank you, Mr. Coursey. Anyone else? Go ahead, Joe.

Councilor Visconti: Thank you Scott. You know, when you move into a neighborhood and it's a certain way, you may find that things change. I live in The Center and moving into The Center some years ago, I knew what I was getting into in The Center and I liked that. We did have an architectural company across the street, which was, I think, maybe approved in this use. I can't recall the name of the company. It's a RE/MAX now. It's a different area. But the traffic for the architectural firm was in and out and very busy and it's no less for us over there in The Center. I appreciate the applicant and what they are looking for, but I do have the concerns of all the neighbors here. There is a long list of them. I am not going to support this but I would like to say that I think if they did know what was going to go in there, with the amount of cars or vehicles, they would have more security. I don't know what that means in the process. We vote it up or we vote it down here and we want tax revenue, so we want it improved and rented. But, at the same time, there is just so much opposition in the neighborhood on the corner that I am going to support the neighbors on this one. Thank you.

President Slifka: Thank you, Mr. Visconti. If no one else? I wanted to read from the decision of the Town Planning and Zoning Commission, which recommended approval, because largely their sentiments are mine. They stated, in part, No. 1: The members of the Commission did not reach this recommendation easily. Subject property is designated as the first residential parcel to the south of the Bishop's Corner commercial zone in the recently adopted Plan of Conservation and Development. For that reason, the Commission was extremely reluctant to recommend approval of a zone change, which might be viewed as an extension of the commercial district further south along North Main Street than the plan recommends. 2: In the end, the Commission was persuaded to recommend approval only because of the peculiar history of this property. The property benefits from a variance granted in the 1960s, which already allows the owners to

continue a first floor medical office use indefinitely. Medical offices are generally accepted to be the most intensive type of professional use, though I would note I think that is maybe more debatable than cited there. Because of the proposed change, zone change to RM/O will allow first floor professional offices other than medical offices. The change actually allows for less intensive office uses than the medical uses, which are already permitted. In addition, the Commission noted that the establishment of any type of professional office in an RM/O zone requires Special Use Permit approval, which would afford an opportunity to review any proposed use carefully. So I guess just to wrap that up, I respect the opinions of the neighbors and wish we could give them, you know, absolute certainty on these items, we can't. But we have a process in place that, I think, does as best as we can to guarantee that they will have a proper hearing and that proposed uses that would be inappropriate will be handled and denied, if that's the case. This is an unusual property. It is a medical office now. The Anticos could keep it that way. So I would say that the commercial creep, in an odd way, had already extended to this property and we put the Anticos in a very difficult position if we held them just to that one use. Now we want whatever that future use to be to be appropriate. That's where I feel good that today's approval is not an open-ended approval. It is somewhat vague, as Mr. Whit identified in speaking to the ordinance dealing with this, but it does go to the TPZ for a Special Use Permit. So there has to be a hearing and discussion on this that the neighbors get to weigh in and state whether they think it is appropriate. They can question the statements of the applicant, whether the traffic is appropriate, etcetera. So there is a backstop to the process here. And I hope that...I want to state, I guess, in all of that that this is not...we do have a bit of legislative history that we can establish when we adopt anything. And that...it was my vote and I know from the TP&Z's comments, and I suspect from my colleagues that would approve it, that this is not intended to be a precedent for the adjoining properties on Bishop's Corner. So anybody that might see this in the future and take the next property over or maybe the one across the street, should not cite to this and state well, the Council has already approved this zone creep, therefore you should just approve the next one. That is not the case. This is a very unusual situation. You know, perhaps, we've had a few of these that have come to us over the years where they are owner occupied and we had the doctor who lived in the house and practiced out of the house and that is a lovely, quaint image. It is just not happening anymore and it leaves people like the Anticos 30, 40 years later with quite a bind. We did deny this without prejudice previously, so the Council has tried to go through this very carefully and we were not prepared to approve it due to the lack of improvements on the property last time, as Mr. Coursey indicated. We appreciate that the Anticos came back. They did do the improvements and that goes a long way. But as to the use, while we have to take that on some faith, I am comforted by the fact that there is a process for the neighbors to go through once the Anticos identify a potential user. So for all that, I will be supporting it. Mr. Davidoff?

Councilor Davidoff: Thank you, Mr. Mayor. You stated that the TPZ has to make a determination as to the use of the parcel, should this zone change go through, and under Section 177-42 of rezoning regulations, it specifically outlines three findings that the TPZ must make. One of them deals with whether or not the proposed use is in harmony with the neighborhood and whether or not the proposed use is something that fits in with the

surroundings and how the traffic and the parking and the loading and all that sort of fits in. So there is a 3-prong test to the Section 177-42. The TPZ looks at each of those things when somebody comes forward with an application to make certain that the applicant has identified each of those criteria. I am confident that the members who sit on the Zoning Board, as I had done previously to my service on the Council, take these things quite seriously and look to see whether or not the use that is being proposed makes sense and whether or not it fits in with the nature of the neighborhood and is in harmony. I would say that most of the Special Use Permits that were rendered went through a rigorous test to find out whether or not they meet those criteria that are proposed. So with that said, I feel very comfortable supporting this application currently. We could have a medical use, which I think is a much more intense use, and if we use that as the standard, and I am certain that the testimony that is going to be received here this evening would probably be used in zoning applications when the matter comes before the Board because people are going to say well, what did the Council say when they changed it from R-13 to RM/O, and I think that is why I am commenting this evening to give some legislative history to the matter. And I think that is important and crucial because I think that yes, the neighborhood does have expectations that anything that is going to abut it would be something that would not disrupt them, and I think you have to be aware of the fact that there is a residential neighborhood that abuts this neighborhood. But you also, at the same time, weigh a person's interest in their property to use it to the function that it is useable. So we are going to balance that medical use, which I think would probably be its highest intensity versus any future uses that could possibly come forward. So if that is the criterion, if the applicant comes forward with uses that are more intense than a medical use, I would anticipate that the Town Planning and Zoning Commission would come to a reasonable conclusion that that is not in harmony with the neighborhood and that is not what was intended by an RM/O use because the RM/O has criteria there too. So with that said, Mr. Mayor, I think that is important. I didn't hear any testimony with respect...I'm sorry, any opinion this evening with respect to the waiver of the fee. We did receive commentary from Mr. Van Winkle with respect to the costs associated with it and in today's budget cycle, I can empathize with the Anticos with respect to the costs to go forward, but I also need to be responsible to the taxpayers of West Hartford and we did invest a lot of staff time, notice, publications, and it is probably in excess of the \$500.00 fee, so I would not be supporting a waiver this evening. I'm sorry to say that. If this situation was different, I would say possibly I would consider maybe a reduction or a percentage, but this evening, I just can't do that in light of what we are going to hear from Mr. Van Winkle in terms of a budget that doesn't look very pleasant this evening. But with that said, you do have an economic opportunity to rent out the premises and hopefully, you can recoup some of your investment through the rent that would be received. Thank you.

President Slifka: Thank you, Mr. Davidoff. Mr. O'Brien, do we...I was going to address the item Mr. Davidoff just talked about, the waiver of the fee, at the end. Do we have to vote that down or could we not take it up, if that was the sense of the Council?

Mr. O'Brien: If you took no action on it, then the fee would be payable to the town.

President Slifka: Made clear. I think in normal times it is something we would strongly consider waiving. As you know and as you will hear from Mr. Van Winkle shortly, unfortunately, we are not in those times. So I hope you appreciate that. Is there anybody else that wanted to speak to this? Okay. With that, we need a roll call please, Ms. Labrot.

Councilors Adler, Brennan, Cantor, Coursey, Davidoff, Slifka, Thornberry, and Verrengia voted YES. Councilor Visconti voted NO.

Ms. Labrot: It's been approved.

President Slifka: Thank you, Ms. Labrot. We are into...and congratulations to the Anticos. Thank you. We are into New Business. I would like to entertain a motion to suspend the rules to move Item 19 up, which is the presentation of the budget.

Councilor Adler: So moved.

Vice President Coursey: Second.

President Slifka: Moved by Mr. Adler. Seconded by Mr. Coursey. Any discussion? All those in favor? Those opposed? Motion carries. That is not adoption of the budget just for the record. Just giving Mr. Van Winkle the right to present. Actually No. 19, we have to move to receive it.

NEW BUSINESS:

ITEM #19 INTRODUCTION AND RECEIPT OF 2009-2010 FISCAL YEAR BUDGET AS PROPOSED BY THE TOWN MANAGER AND SUPERINTENDENT OF SCHOOLS.

SET FOR PUBLIC HEARING ON THURSDAY, MARCH 26, 2009 AND THURSDAY, APRIL 2, 2009 AT 6:00 P.M. IN THE LEGISLATIVE CHAMBER

Vice President Coursey: Item #19 that the Mayor just read into the record I move that receive and set for a public hearing on March 26th at 2 p.m. and April 2nd at 6:00 PM

Councilor Brennan: Second.

Vice President Coursey: That's March 26th at 2:00 P.M. and April 2nd at 6:00 P.M.

President Slifka: All those in favor? Those opposed? Motion carries. Whenever Mr. Van Winkle has replugged in his computer, we will get ready to go.

Mr. Van Winkle: Good evening. My name is Ron Van Winkle. I am your Town Manager. I come to you tonight with our first budget in a time that is quite unusual. A lot different than budgets you have heard in the past. The budget itself is substantially

different and the times we are in are substantially different. Casey Stengel once said that management is the art of taking credit for home runs hit by others. An enormous amount of work goes into this budget document. It is, the departments, they put theirs together and the department staff. The Department of Financial Services works hard on this budget. Our CFO, Chris Johnson, who is here in the audience, spends a lot of time along with Liz Hewitt from that department. They were here on those vacation days that some others were off. They were here on weekends for the past few weekends to help us put this budget together, so I just want to recognize them.

You have before you tonight not only a town manager but an economist. And so it is incumbent upon me to use some of my training and talk to you a little about the situation which we are in and is uniquely applicable to an economist's analysis. We are going to talk about the budget and some numbers, but overriding that budget, overwhelming that budget are issues dealing with our economy right now. We are certainly in the longest recession since the 1930s unquestionably. It is likely to be the harshest and most difficult recession since the 1930s. Most forecasters would have us believe we are about halfway through that recession right now. So when I come before you, if I am still Town Manager next year, with a budget, we will be at the deepest part of a recession. It is a bottom. The economy is turning up, but unemployment continues to fall. Forecasts for the nation are that our unemployment rate by mid 2010 is over 10%. In the State of Connecticut, that unemployment rate by mid 2010 is going to be over 9%. We are going to lose approximately 90,000 jobs in this state. That is an enormous job impact. And so, as we put our budget together, we don't want to think about how we make it through this year. It is not a year in which we are going to talk to you about cutting pencils because pencils are not going to do it. We have to change the structure of government and how we operate to be able to make it through the next several years.

So as we step into our budget, I want to do what I might have done as a professor when I was teaching is to talk a little about our economy. Our first chart is Connecticut employment, and earlier this week, Warren Buffet said the economy fell off a cliff and quite clearly, you can see Connecticut's economy also fell off a cliff. That line that goes directly down at the end is employment levels in the State Connecticut. It crosses the black line and turns negative and falls sharply, more sharply than we have seen employment fall in this economy in more than 60 years. The earlier part of that line is the previous recession we had in 2002. You can see that when employment falls, it falls for a long period of time, even in a milder recession. We are just beginning to enter what is a very difficult period of time for us. Analysis of numbers tells me that this is not near the bottom and it is not going to slow down here. We see the same thing in the other direction, the increase in unemployment. Recently the United States released a number for the nation of 8.1% unemployment. Again, as I suggested to you, that is going to climb for the next 18 months. It is not near the bottom. The State of Connecticut released this week, their unemployment number was 7.3%. You can see that those two charts at the end coincide with each other. It would suggest that Connecticut is not separating itself from the nation, not in an economy, which can say well, we are not California right now. We are not Florida. We are quite clearly moving with the nation's economy. This recession is quite clearly affecting Connecticut. So, as we look at these numbers, we realize how difficult and important it is to bring our budget and to recognize the environment that we are in.

A dole of history on what we've done with our own town's employment over decades and if you look at the beginning of that, in the early 1990s we went through what some called the great recession of Connecticut. 156,000 jobs lost. I said this recession, perhaps 90. 156,000 jobs lost. We cut a significant number of jobs from our general fund in West Hartford. We outsourced services that we had. We reduced spending everywhere we could and reduced jobs. That employment level fell over the whole decade of the 90s for the town side of our budget and rose a little in the late 2000s here, primarily because we began to take over some of the work from the Board of Education. The grounds crew that took care of school grounds became part of Public Works. As we have merged, many departments in the Board and town together, all of our town's construction is done by one department, both school and town. Our Finance Department handles purchasing and accounting for both sides of the town. Our facilities operation, the people who manage our buildings, manage buildings for both sides. So as we tried to look for efficiencies in government, we have made significant changes to our operation to incorporate a lot of things, which in the past had been within the schools' budget, were brought into the town's.

One of the drivers in our budget this year is revenues. Revenues are falling in our budget. They are not rising. In our estimates for 2010, we expect to have \$6,000,000.00 less revenue in 2010 than we had in 2009. One of the primary drivers is state and federal grants, primarily state grants. The Governor's budget recently announced cut grants to the Town of West Hartford by 1.3 million dollars, primarily pilot grants, grants in lieu of payment of taxes. That number is precarious only because obviously the State of Connecticut's budget and its budget circumstances are precarious. They are talking about multibillion dollar budget deficits at the state level. The Governor said she would not cut grants to communities. It increasingly makes us worry that they are going to have to look at those grants, if not this year, next year. Additional cuts from the state would be very hurtful to us.

Property tax collection continues to fall. Although, in West Hartford in most years we collect more than 99% of the taxes levied, as we head for recessions, we see that number drop. I will show you a chart on that.

User fees, building permits are off dramatically. Again, they fell off the shelf. Like those numbers we saw in unemployment in September and October, everyone seemed to decide this was not the year to replace the roof, fix the kitchen, or do anything else. And so our numbers in the building department are down substantially.

Miscellaneous revenue is also down and miscellaneous revenue covers a broad swath of things but certainly the biggest one that affects us there is interest rates. We had, last year at this time, projected interest rates to fall and we thought they would be in the 2-1/2% range for short-term rates. We collect taxes on July 1st and take that money, invest it in short-term funds in order to spend that over a period of months. The state's STIF fund, is what they call it, the Short-Term Investment Fund, is paying less than 1%. So interest that we would normally collect is down substantially.

So everywhere we virtually turn, we are seeing our revenues slow down and that is something that we need to keep our eye on as we move into this year.

This is a chart that shows tax collection rates. And it is a chart that goes back to 1980 even, all the way back here, where you can see that our collection rates through the 80s were strong. 99.1 is that line right there second from the top, and so the Town of

West Hartford traditionally collected 99+%. You can see as we were heading into a slow down and a recession in the late 1980s, we were clobbered by a housing recession that affected Connecticut dramatically in the early 1990s. We had projects that were in construction with developers that stopped and they stopped paying taxes on those. We had homeowners that were foreclosed on. We had a substantial number of people who lost their jobs in Connecticut. And we all knew somebody in the early 1990s who worked for a local insurance company, worked for a local manufacturer, that lost their job and found when they went home that there were no jobs in Connecticut. 156,000 jobs lost in this period of time. At that same time, we saw a dramatic decline in the percentage of taxes collected in those years. Each tenth of a percent that we don't collect in taxes is \$180,000.00. So a change in that number is a significant issue to us. You can see, as this is almost a good forecaster of hard times, but you can see that our collection rate began to decline somewhat in the last few years and we are projecting a 98.8% collection rate for next year. It is something we are going to have to keep our eye on. As jobs are lost, as homes are foreclosed, we are going to see problems on collection rate and it is a part of that revenue forecast that we put together. Interestingly or gratefully, taxpayers who paid their taxes in July and taxpayers who paid their taxes in January are paying on schedule, are paying at rates that are in the 99% range right now. So West Hartford isn't yet dramatically affected, but we are concerned that that will turn on us.

So on the revenue side of our budget for next year, we are projecting a revenue loss of non-property tax revenue of approximately \$6,000,000.00. In the Town of West Hartford, as in most communities, there is only one way to make that up. We either make cuts to our budget to reduce our spending or we turn to the property tax. The Connecticut system for funding local government is broken. It has been broken for a long period of time. We can no longer sustain local government. In this community, we are virtually 100% developed. The change we will see in this community will be rather modest over the next 10 years, and yet our costs go up at 3% a year. If the inflation rate is 3%, our contracts go up, the cost of dumping trash, the cost of employee contracts go up. So we are in a mode in the Town of West Hartford of not seeing growth in our grand list, therefore, not growth in the new taxes that come in. Unless we generate taxes off of interest rates, off of new fees, we are going to have a real problem making our budget work, even in good times. We lose revenue next year.

At the same time, let's turn to the other side of our budget. The Town of West Hartford's general fund spending is down \$50,000.00 from the previous year. So we have cut our budget for next year by \$50,000.00 over what it was this year. You asked us to bring in a zero budget. We brought in a budget slightly below that. In order to do that, we had to make significant changes. We have taken out ten full-time jobs and fourteen part-time jobs. But more importantly, and most importantly, in trying to make this budget work next year is we are in negotiation with our unions to talk about a wage freeze. Most unions this year are going to see, by a negotiated contract that was a 5-year contract negotiated several years ago which we have to abide by, a substantial wage increase. We are meeting with each union and asking them to take a freeze. If we can't get that freeze, the Town Manager's budget would recommend that we cut the 1.2 million dollars that that freeze would represent, cut it by laying off employees to make that number work. So this is a tough budget. We are already taking positions out of this budget to get it down to this level. We are proposing that if we can't get a freeze, we are

going to have to turn to other workforce and look for additional cuts within that budget, additional employee layoffs for this year. We have frozen non-union employee wages. We have frozen all part-time employee wages, all direct reports to the Town Manager, the fire chief, the police chief, and the department directors. Their wages are frozen this year and, in fact, each one of those direct reports has not seen a wage increase in 3 years. We have frozen travel and dues and reduced wherever we could within the budgets. When you see this budget, you will look at what we call our non-personal expenses and in almost all these cases, you will see them down. We are, in a couple of departments, seeing higher spending and that would be in the police and fire department. Both of them are dependant upon wages and have very little on the non-personal side. Those both increase without a wage freeze. We will see increases in both those departments.

We are also putting additional money into the Public Works Department to better reflect a winter that seems to be more common. Last winter was mild and we had materials left over, so when we started this winter, we had a barn full of salt that we were ready to use for the coming storms. We had 15 storms this winter. The last storm we had, beautiful snow that it was, I used to like snow, was \$80,000.00 to take the snow off the streets in West Hartford in that last storm. This winter, we will end with nothing left in our barn. So we have added additional funding to the Department of Public Works to replenish their supplies and get them ready for next winter. Should next winter be mild, we will not spend that money.

The budget also contains additional options that aren't in the base budget that I have talked about, that aren't yet removed from the town's spending. This is a different approach in your budget this year. They are called budget options. There is a series of options in there for you to consider that if you are going to make additional cuts, that you might want to look at. They can be additional hours in our libraries. They can be additional fees that we may want to raise in the community. This year's budget is dramatically different from the budgets in the past. There is enormous amount of detail in it. There is enormous amount of every line item, every time we are paying dues to somebody, we are describing to everybody who we are paying dues to and why we are doing it. So there is a huge amount of detail for anybody who is a budget lover out there in the audience. There is a lot of detail on this budget for you to be able to understand how and why we spend our money. We are looking everywhere to find savings for this budget and there are lots of options and there are lots of issues to discuss in this budget.

The capital budget is down \$4,000.00. The capital budget is the principal and interest we pay on bonds. When we do a road construction project, we bond that and we sell those bonds and then pay the investors principal and interest each year. In October, you cut \$25,000,000.00 out of the next 3 years of our capital budget. That was an enormous cut, certainly the largest cut the Town of West Hartford has ever seen in its history. The Town Manager's budget is recommending we cut an additional \$7,000,000.00 out of our capital budget to reduce our spending in this area. We need to get our principal and interest payments flat and this is the beginning of that process of getting that turned so that we can reduce the spending we have on capital.

We also, last year in the fall, were headed for the capital markets to sell bonds. The capital markets were in chaos. Even a AAA rated town like West Hartford with an excellent credit rating and an excellent experience with our investors would have had a hard time selling bonds last fall. The market was just in absolute chaos, so we made the

decision to postpone that sale last year and move it to July of this year. The markets are at least calmer right now and we should be able to do well in the markets this year and see good rates for our bonds.

The last piece before I push my button is the school budget. The superintendent, the other night, presented his budget. He showed a 2.9% increase in his budget. It is an increase in spending of 3.54 million dollars. With his presentation, he discussed options, and in his budget are options for them to reduce that spending and to take it all the way down to zero. Like you, the Board will be working on that budget and hopefully they will make good progress in reducing that spending this coming year. Schools are also negotiating with their unions, just as we are, to discuss the ability to freeze wages. If they are successful in that, there should be some significant savings. There is also, in the school side of our budget, federal stimulus money, which will assist them in reducing some of those spendings. As soon as they get indications of how that money will be allocated, they will have a better understanding of what they can do with it.

The Federal Stimulus Money on the town side will not affect our spending, general fund spending. There is some money coming to the region for capital improvements, road improvements that would be outside of our capital budget. There is some money coming to the town through the CDBG grants, Community Development Block Grants, or federal grants. Those are restricted for spending in certain ways. Most of that money would have to go into our housing rehab programs or other programs. But once we get an indication again from HUD of when that money was coming and what it will be, we will have a proposal for you to take a look at.

So the hard part of this budget is the next slide. We need new spending based on those numbers, based on the presentation of the superintendent, based on the presentation of the Town Manager. We need 3.49 additional million dollars. That's the reduction on the town side, the increase on the Board side, the flat capital budget. That is an increase of 1.6%. That's the lowest increase we've seen since that recession that I talked about in the early 90s when we were facing a similar problem. So the proposed budget is substantially down, but perhaps not far enough.

New revenue. We lost \$6,000,000.00 dollars. We are projecting we will lose \$6,000,000.00 in non-property tax revenue. We have a new spending of 3.5 million dollars. That means in order to balance this budget, we will need new revenue of 9.5 million dollars. In the local community like ours, the only place we go for that is the property taxpayer unless we make additional cuts. So as we tried to measure how this affects people, and this is very hard to do because we are phasing in taxes. Everybody's taxes are going to be different as we do that, so we took the median house that went up that 77% from the last revalue and, with this proposal, the taxes on that median house including the phase in would go up 5.6%. That's a \$400.00 increase on their taxes. So this is a time in which that 5.6% is going to be difficult for people to pay. We recognize this and we have a lot of work to do in this budget. The budget is on the website. It is on the website right now. If you go to that website, you will be able to pull up the budget. You will pull up both the capital budget and the town's budget and you will be able to read it, look at it, and think about it. You each have copies in front of you. We will be scheduling meetings to go through that budget in detail with you at every level and I'm sure you are going to get a lot of comment and information from the public about what they think about our budget. I know that I have been working with the school department

on their budget and will be working closely with them to try to help them get to the right number. This is really a difficult year. We did a lot to get that budget down to zero. We made a lot of cuts. We are reducing services in West Hartford to get that budget down to zero, and even though we worked that hard to get that budget down to zero, I still end up with a tax increase that is obviously way too high right now. So there is a lot of more work to do. There is a lot of public discussion in this because the decisions we are going to be making to bring that down are going to change some of the services West Hartford has.

Chris Johnson said to me, our CFO, said to me that we have a very serious short-term economic problem in West Hartford right now. We want to make sure that when we build our budgets and we make decisions about the future that we don't turn this into a long-term community problem. It is important that we try to do our best to preserve the community that we have, that we make sure that people who think of West Hartford think of this wonderful community, the public safety that is in this community, the quality of our schools that are in this community, the conditions of our streets and our infrastructure, that this community looks like the community that we know and love and why people live here and why people pay higher taxes to live in West Hartford because of all the services. We had citizens here tonight to our energy plan. Citizen participation in West Hartford is amazing. We need to make sure we continue that. As we look at cuts, our business doesn't change like most businesses in recession. If you are in business in a recession, if you are in construction, business slows down dramatically. You will lay off people because there is no business for you. Our business goes up. The police get more active because people are more stressed. Perhaps it is just an argument at home or perhaps it is someone who is making a really bad decision about how to deal with their financial problems, but the police see more activity. Our public library is fuller. It is already busier because people are turning to the public library for their book or for that video or to get on that computer or to spend some quiet time. And our public library is really busy. They will also turn to our parks and we will see more people who are going to want to spend some time in our parks because they are not going to the shore this year. They are not going. So a lot of things we do in government goes up in recession because people turn to us for the services we provide and very little goes down. So as we make cuts, it becomes very hard to look at how do you make cuts when your demand for your services does not seem to slow. It is a very difficult budget, very difficult year, and I will look forward working with you on it. Thank you.

President Slifka: Thank you, Mr. Van Winkle. I would want to echo the thanks to the staff, Chris Johnson, our Director of Finance, and Liz Hewitt, in particular. This is not a budget that was produced in the last couple of weeks. This is something that has been a living document for many months now. I would also like to thank my colleagues in the Finance and Budget Committee, Mrs. Cantor and Mr. Davidoff, for getting us here to this point. We don't normally address the budget this evening. It's a lot to digest and we have our hearings and our other meetings and we will be bringing that out further. But I do believe we have been communicating very well to our residents on this, so there needs to be some additional clarity. I want to make clear something that was reported in the Hartford Courant this morning so that you hear it here, hear it for anyone else in the press that might be covering the meeting. There is a lot of anxiety, I'm sure, for anybody that

has seen that number for the first time of 5.6, and we agree. And we agree that it can't be. And Mr. Van Winkle, understands this is the Manager's proposed budget, but we want to point out that when you say it is his proposed budget, it is not as if he is saying this is a good idea this evening. It is a snapshot in time. We are trying to share with you the numbers where they are at the moment and particularly due to the declining revenue piece, it has been a shifting target. That is where it is today. We are here to tell you today that it will be going down further. Specifically, this budget will not contain a spending increase next year. In fact, it will be a decrease. You see that the town and the capital are already at zero, and we have informed the Board of Education that their budget will come in at zero. That is not going to be easy. That is a difficult task for those that may perpetuate the notion that the Board has millions of dollars laying around. I am sorry, that is not the case. This is going to be the product of a lot of hard decisions, hopefully some good work on both sides with our unions and everybody collaborating there, but we have looked at the numbers and there is a pathway to get to that zero without affecting major programs like all day kindergarten. The Board may choose to go in another direction. We can't mandate that but we believe there are certainly ways to do it. So those of you that see the 5.6 up there today, it will not be. It will not be. My caucus is committed to that. Mr. Davidoff has indicated his support. So, there you have it. Now that leaves us with still a Herculean task. That reduction gets us down to about a 3.6% increase, which we also realize is unacceptable. But the problem is right now, getting that down further...we are running out of adjectives to use when we say that this is difficult and will involve hard choices because we have already crossed that threshold. We are into very painful choices going forward, choices that we have to be very careful about, very deliberate because they could really start to affect the fabric of the community. At the same time, we realize that folks are losing their jobs. People in this community are living off their savings and those are ever declining. I was moved in particular by a document that I got at home, and I suspect everybody in town got at home the other day, from our...I guess you get kind of quarterly update from our state delegation. This is from our State Senator Jonathan Harris. Now, normally what you get is, it may be informational. Sometimes it is something touting accomplishments and all. But what is in here? Not one single thing where Senator Harris has indicated that he is touting an accomplishment. Rather it is a primer on resources for job seekers. The entire document is devoted to that. What does that mean? That means the people in the Fifth District, which the largest component is West Hartford, need these services, which mean that they are going to have, if they are not already, one very difficult time making their mortgage payments and making their tax payments that are associated with that, and certainly for our seniors who man not be working, they already face that hardship. So we know what the task ahead is. It is going to be difficult to get there but we will be sharing all that information with you. I did want to point out that, with respect to our hearings, we are still looking into the legality of this, but in a perfect world what we would like to do is turn the evening Public Hearing into kind of a combo Hearing and Forum like we had the last time. We think that was very productive and we like the questions. So there will be a lot to chew over obviously if this goes forward. So with that, I guess I say thank you, Mr. Van Winkle. I'm not sure how I feel about the content, but this is, as you said, it is a very difficult time. And I am particularly pleased with...actually we've got to give you thanks on the documents. For those that really do pay attention to our budgets and it

is small minority that want all of the information, but it's a vocal minority and important minority, and we have tried to listen to them in how we actually present the information. I think what you will see this year is a very different interactive document that has a lot of the information at your fingertips such as the duration and increases and length in all of our union contracts, stuff that you will find very helpful. That was a product of a lot of hard work in Finance and Budget and from Mr. Van Winkle and Mr. Johnson and Ms. Hewitt and lastly, I would say, what I like is the change in the title. I think the titles used on the town side have often been pretty plain. I don't really know if they have really had a title. But on the school board side, sometimes it talks about the effect upon children and it is a very happy thing. Neither of the budgets this year is touting that. I know, Dr. Sklarz used a quote from Mark Twain, which was very nice and very appropriate, but I think he has recognized as well how difficult this is and Mr. Van Winkle put on the title right there, Hard Times, Tough Choices. Oh, Hard Times, Harsh Realities. Let's get used to that. So with that, thank you Mr. Van Winkle.

Boris Kantor: (Inaudible)

President Slifka: It is. Mr. Kantor, I can't. We are well past that. But we would be happy to talk to you afterwards if you'd like. Thank you. Or tomorrow if it is inconvenient if we end late. Thank you, sir. That gets us to No. 14, Mr. Coursey.

ITEM #14. APPLICATION ON BEHALF OF BLUE BACK SQUARE, LLC, DEVELOPER OF THE BLUE BACK SQUARE MIXED-USE DEVELOPMENT, FOR AMENDMENT TO SPECIAL DEVELOPMENT DISTRICT APPROVALS IN CONNECTION WITH BLUE BACK SQUARE DEVELOPMENT – 40 SOUTH MAIN STREET, 15 NEW STREET, 65 AND 85 MEMORIAL ROAD, AND 75 ISHAM ROAD – AMENDMENT TO SDD 113 AND APPROVAL OF AMENDED DEVELOPMENT PLAN. (Application is filed in the Town Council Office, Rm 312)

SET FOR PUBLIC HEARING ON APRIL 14, 2009 AT 7:00 P.M. IN THE LEGISLATIVE CHAMBER AND REFERRED TO TPZ AND DRAC

Vice President Coursey: I move that we set for public hearing on April 14th at 7:00 P.M. and refer to TP&Z and DRAC.

Councilor Brennan: Second.

President Slifka: Motion has been made and seconded. All those in favor? Those opposed? Motion carries. No. 15, Mr. Coursey.

ITEM #15. RESOLUTION (SLIFKA, COURSEY, DAVIDOFF) ADOPTING STANDING RULES OF THE WEST HARTFORD TOWN COUNCIL FOR THE 2007-2009 TERM.

ADOPTED

BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT the Standing Rules of the West Hartford Town Council for the 2007-2009 Term are hereby adopted in the form attached hereto.

**STANDING RULES OF THE WEST HARTFORD
TOWN COUNCIL FOR 2007-2009**

The following Standing Rules shall govern the West Hartford Town Council for the 2007 through 2009 term.

MEETINGS

1. Regular meetings shall be held at 7:30 p.m. on the second and fourth Tuesday of each month except during July, August and December, except that when any such Tuesday is a public holiday, the regular meeting shall be held on the next following business day or as established by resolution of the Town Council and except that the second meeting in April shall be exclusively for budget-related resolutions and ordinances. There shall be one regular meeting, set by resolution, to be held during July, August and December.
2. In a year of the municipal elections, the Council shall meet only twice in November: for a regular session, the Tuesday after the election and, for the installation meeting of the new Council, the second Tuesday after the election at 8:00 p.m. as required by charter.
3. Special meetings shall be held only upon written order of the President or of any four Councilors. Such notice shall specify the purpose or purposes for which such meeting is called, and the time and the place where the special meeting is to be held, and no other business shall be considered. At least forty-eight hours prior to such meeting, the Clerk shall give notice of such meeting by (1) causing a copy of the call to be left at the residence of each Councilor and at the office of the Town Manager and (2) posting the notice of such special meetings.
4. All meetings shall be held at the Town Hall unless impracticable or, in specific cases where public interest requires otherwise, when so ordered by the Council, or when such other place shall have been specified in the notice of the meeting by order of the President of the Council.
5. At all regular meetings, the order of business shall be as follows:
 - (1) Pledge of Allegiance
 - (2) Roll Call
 - (3) Approval of Minutes
 - (4) Public Forum

- (5) Reports of Town Manager
 - (6) Consideration of Consent Calendar
 - (7) Unfinished Business
 - (8) New Business
 - (9) Announcements
 - (10) Reports of Corporation Counsel
 - (11) Appointments
 - (12) Executive Session
 - (13) Reports of Standing or Special Committees
 - (14) Consent Calendar
 - (15) Communications
 - (16) Petitions
 - (17) Adjournment
6. The public forum under the order of business shall be that portion of each regular meeting during which residents or taxpayers of the town may each address the Council for not more than three minutes regarding any other item of the agenda which is not otherwise subject to public hearing. This rule shall not limit in any way the provisions of Rule 7 hereunder, but the public forum shall not be used to address Communications items.
7. The subject matter of a communication shall be specified clearly in its content. Communications shall be limited to: (1) matters upon which the Council may act within the scope of its authority; or (2) community events of a charitable or nonprofit nature regarding which the signer of the communication wishes to obtain the support or participation of the Council. Communications which are repetitious of matters previously addressed by the maker thereof or which seek to address subjects regarding which the Council has no jurisdiction or authority shall not be received. The signer of a communication received by the Council under the order of business, or the spokesperson(s) for any group whose petition or communication is so received, may address the Council on the subject of the petition or communication for up to five minutes in total; provided the subject matter of such petition or communication is not otherwise subject to public hearing.
8. Except as otherwise provided under these Standing Rules, any item or items upon which final action may be taken at a regular meeting under the order of business, may, upon a motion duly seconded, be moved to the consent calendar absent objection by any Councilor at any time prior to final action thereon. The consent calendar shall be voted without debate as a single item.
9. All reports to be received by the Council from any board or commission, or similar body, or from any standing committee or special committee, shall be in writing, and, if an ordinance or resolution is recommended therein, a copy of such ordinance or resolution shall be included with the report.

10. Members of the public who participate in meetings of the Council or any committee thereof are expected to observe the same level of decorum which is expected of members themselves pursuant to Robert's Rules of Order. The Chairperson of any such meeting may caution any speaker or rule any indecorous remarks to be out of order and may decline to recognize the maker thereof for the remainder of the meeting.

AGENDA

11. All items for the agenda of a regular meeting shall be submitted in writing and shall be filed with the Clerk not later than 10:00 a.m. on the seventh day preceding the date of such meeting.
12. The President of the Council, upon consultation with the Town Manager, shall instruct the Clerk as to what items are to be included on the agenda for each regular meeting or special meeting. Each ordinance or resolution included on the agenda shall show the name of the sponsor or sponsors. If the President of the Council rejects a communication pursuant to Rule 7, said communication shall be placed upon the next agenda following the request of any four (4) members of the Council.
13. The Clerk shall forthwith send each Councilor a copy of the agenda and a copy of each item included thereon. The Clerk shall make copies of each agenda available to the public on request and, for regular meetings, shall publish the same in a newspaper having general circulation in the Town.

HEARINGS

14. General procedures for the conduct of public hearings (excluding zoning and other ordinances but including budget hearings) and other public forums shall be posted on the bulletin board outside the Clerk's office. Any changes in said general procedures and any procedures applicable to zoning or other ordinance hearings shall be announced at the commencement of each public hearing by the President of the Council. The President may direct that proponents and opponents present testimony in alternate half-hour periods. For good cause, the Council may continue the hearing to another convenient date of which due notice shall be given.
15. A registry shall be provided not later than one-half hour prior to a public hearing and any resident or taxpayer who wishes to speak may enter his or her name and address therein, provided that any such person desiring to speak shall be permitted to do so whether or not he or she has made such entry in the register.
16. In the case of a public hearing on a zoning application pursuant to Charter Chapter XII, Section 5(b), including any application for designation or

amendment of a special development district, the applicant shall file with the Clerk on or before the seventh day preceding the commencement of the public hearing at least twelve copies of any written reports or similar written information which the applicant intends to offer for the record at the public hearing. Where the document in question is directly responsive to questions, comments or recommendations from Town staff or town agencies or is responsive to questions from Town Council or public comment elicited during the hearing itself, the applicant is encouraged to tender same as promptly as possible, but shall be entitled to submit such documents at any time prior to the close of the public hearing. The Council may waive the requirements of this section only upon a two-third's vote.

ORGANIZATION

17. Whenever the Council shall organize as a committee of the whole for the purpose of considering a single subject, debate shall be limited to such subject, and no other subject shall be introduced until a motion to resolve into the regular order of business shall prevail and the report of such committee of the whole shall have been received by the Council.
18. The President of the Council shall appoint the following standing committees:
 - (1) An Administration and Technology Committee to be responsible for government organization; claims against the town; central offices and services; and technology strategies.
 - (2) A Finance and Budget Committee to be responsible for overseeing the operational budget; capital improvement programming and overseeing the capital budget; financial and program planning; budgeting and accounting; auditing and financial oversight; and debt and sundry.
 - (3) An Education Liaison Committee to be responsible for joint deliberation with an equivalent committee appointed by the Board of Education to consider matters of mutual interests affecting the public schools.
 - (4) A Human Services Committee to be responsible for health and social services, including youth and senior citizen services; housing; historic preservation; libraries; parks and recreation; cemeteries; and federal/state block grant allocation.
 - (5) A Governmental Liaison Committee to be responsible for liaison with the Town commissioners to the Metropolitan District Commission; monitoring federal and state legislation, regulation and funding, for monitoring regional affairs, e.g., CRCOG, CCM; and for providing advocacy for such efforts as may be expressly authorized by vote of the Council. Council-appointed liaison to other governmental bodies, quasi-

governmental bodies and regional organizations shall report to this Committee.

- (6) A Community Planning and Physical Services Committee to be responsible for public works; planning and zoning code enforcement; economic and community development; community maintenance, including solid waste alternatives; parking regulation and parking facilities; public transportation; and municipal buildings and grounds planning and maintenance, including energy conservation.
 - (7) A Public Safety Committee to be responsible for fire and police services; emergency medical services; and traffic regulation.
 - (8) A Rules Committee to be responsible for amendments to these Standing Rules.
19. The President of the Council may appoint, or by Council resolution shall appoint, such special committee as may be desirable from time to time, provided that any such committee shall be appointed for an express purpose or purposes and for a set period of time.
 20. Except as otherwise provided in these Standing Rules, each standing committee and special committee shall be composed of three Councilors, not more than two of whom shall be of the same political party, and the President of the Council shall designate one Councilor on each such committee to serve as chairperson.
 21. The President and Vice President of the Council shall serve, *ex officio* and without vote, on all standing committees and special committees, except such committees to which they are otherwise duly appointed in full.
 22. Committee meetings shall be called by the chairperson or by request of two-thirds of the committee members. Except in the case of an emergency, committee meetings shall be called upon written notice, which notice shall be given no less than forty-eight hours prior to the committee meeting. All Councilors and the Town Manager shall be notified of all committee meetings by the Clerk.
 23. All regional meetings and agendas shall be posted by the Clerk. Minutes of those meetings shall be kept in binders for the public.
 24. Any Councilor may attend the meeting of any committee and, except when a committee member has or desires the floor, any Councilor shall have the privilege of the floor at any committee meeting.

25. Each committee shall keep at least summary minutes of its proceedings, copies of which shall, within seven days following a committee meeting, be filed with the Clerk who shall forthwith send such minutes to all Councilors and the Town Manager and place them in binders for the public.
26. The Clerk shall keep a record of all matters on which the Council has acted by way of a motion to commit or to refer, which shall be updated and distributed periodically to the Council, and posted for the public.

EXPENDITURES

27. No expenditure of funds appropriated to the Town Council shall be made, other than for routine purposes, in excess of two hundred fifty dollars except upon the express prior authorization of the President of the Council, or in excess of five hundred dollars except upon the express prior authorization of the Council.

GENERAL PROCEDURES

28. The President or, in the absence of the President, the Vice President, shall preside at all regular meetings and special meetings, and at all public hearings. In the absence of the President and Vice President, the Council shall choose from among its majority members, a Councilor who shall act as President until the President or Vice President shall appear.
29. Except when a Councilor has or desires the floor, the Town Manager shall have the privilege of the floor for the purpose of providing information on the business and affairs of the Town; and the office of Corporation Counsel shall likewise have the privilege of the floor for the purpose of advising the Council on the introduction of or action on any proposed ordinance, or on any question of law or procedure.
30. No ordinance or resolution without a fiscal note, as required in accordance with the provisions of Sections 18-50 and 18-52, inclusive, of the Code of Ordinances, shall be subject to final action by the Council unless such requirement is dispensed with by vote of at least two-thirds of the Council present and voting.
31. No proposed ordinance shall be subject to final action by the Council without the written opinion by the Corporation Counsel certifying its legal sufficiency and legal correctness of form.
32. A roll call vote shall be required for final action on any ordinance or zoning matter, and otherwise shall be taken when requested by any Councilor.
33. When a question is under debate, no motion shall be received except a motion to adjourn, to limit debate, to table, to withdraw, to call the previous question,

to postpone indefinitely, to postpone to a date certain, to commit, or to amend, which several motions shall have precedence in the order stated herein. A motion to adjourn or a motion to limit debate shall always be in order, even when another has the floor.

34. When a motion has been voted, it shall be in order at any time before final adjournment of the meeting at which the motion has been voted, for any Councilor who voted on the prevailing side to move to reconsider the question, and such motion for reconsideration shall take precedence over all other questions except a motion to adjourn or a motion to limit debate.
35. Withdrawal of a matter on the Council agenda may be permitted at a regular or special council meeting in accordance with Robert's Rules of Order. However, prior to the President stating the question, the maker(s) of any such matter who wish to withdraw it from Council consideration may explain briefly the reasons for such withdrawal, but there shall be no debate.

WITHDRAWAL OF ZONING PETITIONS

36. Prior to Setting Hearing. Prior to the time the Council sets a public hearing on a petition for a proposed zoning amendment, including an application for a special development district, the applicant may withdraw such petition as of right upon notification of the Council.
37. After Hearing Set but Before Beginning of Testimony. Once the Council has set a public hearing on a petition for a proposed zoning amendment, including an application for a special development district, but prior to the taking of any testimony at such hearing, the applicant may withdraw such petition provided that such petition or any other petition relating to the same area or solely to portions of the same area and asking the same changes, shall not be introduced for twelve months next following such withdrawal. The Council may waive such condition only upon a two-third's vote of its entire membership at a regular or special Council meeting.
38. After Beginning Testimony. Once any testimony on the merits at the public hearing has begun, a proposed zoning petition, including an application for a special development district, may not be withdrawn and any such petition, or any other petition relating to the same area or solely to portions of the same area and asking the same changes, shall not be reheard within the twelve months next following the hearing on such petition, except as may be otherwise permitted in advance by two-third's vote of the entire membership of the Council at the time of final action on the petition at a regular or special Council meeting.
39. When the Council takes final action on any zoning ordinance, the Council shall state upon the record the reasons for its action.

RULES

40. A copy of these Standing Rules shall be posted on the bulletin board outside the Clerk's office.
41. Any of these Standing Rules may be suspended by two-thirds vote of the Council present and voting.
42. Robert's Rules of Order shall be the source authority and shall control all matters of parliamentary procedure not otherwise specified in these Standing Rules.
43. Any proposed amendment to these Standing Rules shall be submitted in accordance with the provisions of Rule 11 hereinabove and shall thereafter be adopted only by two-thirds vote of Councilors present and voting at the subsequent regular meeting. Prior to final action by the Council, each such proposed amendment shall be committed to the Rules Committee for review and comment.

GENERAL PROCEDURES FOR PUBLIC HEARINGS AND PUBLIC FORUMS (EXCEPT HEARINGS ON ORDINANCES¹)

These procedures are promulgated in accordance with Council Rule 13 and shall be posted on the Town Clerk's bulletin board. The following represents the procedures for public hearings (non zoning), including budget hearings, provided that the president may announce an amendment to these procedures when conditions require:

- I. A sign-up sheet shall be provided one-half hour prior to the hearing.
- II. Speakers will be called in order from the sign-up sheet, provided that only those persons who have not yet addressed the Council on the issues subject to hearing shall be called.
- III. The President may permit a presentation by the administration prior to calling on members of the public.

¹THESE PROCEDURES SHALL NOT APPLY TO HEARINGS PERTAINING TO ZONING ORDINANCES, OTHER ORDINANCES OR MATTERS WHERE PROCEDURES ARE SUBJECT TO CONTRARY STATE OR FEDERAL LAW OR REGULATION.

- IV. Unless the Council waives its rules by a two-thirds vote, only West Hartford residents or taxpayers may address the Council.
- V. After each person on the sign-up sheet has spoken, the President shall call on other persons who have not yet spoken who wish to address the Council.
- VI. Each speaker shall limit his/her comments to items on the notice of the meeting.
- VII. All speakers shall be confined to three minutes each, except that persons providing the Council with a group's duly authorized position on an issue may speak for up to five minutes.
- VIII. Speakers may not yield their allotted time to others in order for others to expand their three minutes.
- IX. If a hearing is continued to another date and time, the Council will continue the hearing by first calling speakers from the original sign-up sheet who have not yet spoken.
- X. An additional sign-up sheet shall be provided one-half hour prior to the continued hearing.
- XI. After the completion of the original sign-up sheet, the President shall call speakers from the new sign-up sheet in the order in which they have signed said sheet, provided that only those persons who have not yet addressed the Council on the issues subject to hearing shall be called.
- XII. After each person on the sign-up sheets has been given an opportunity to speak, the President shall call on other persons who have not yet spoken at the original or continued hearing who wish to address the Council.
- XIII. At the conclusion of the hearing or continued hearing, the Council may, by majority vote, permit speakers who have already addressed the Council at the original or continued hearing to address them again for an additional three minutes. The President may set a total time limitation for receiving such additional comments and shall announce such limitation prior to the above-referenced vote by the Council.

- XIV. If the number of speakers and the time obligations of the Council permit, the President may announce, at the commencement of the hearing, that each speaker may have an additional specified time to address the Council.

Vice President Coursey: I move that we adopt.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. Actually, we need to withdraw that. First, we need to entertain a motion to suspend the rules to consider the item because Mr. Visconti intends to offer an amendment, and due to a quirk in the rules, we would not be able to consider the amendment tonight along with the whole item if we don't do that. I think that would be a more productive result.

Vice President Coursey: So moved.

Councilor Brennan: Second.

President Slifka: Motion has been made and seconded. All those in favor? Those opposed? Motion carries. That gets us to...now we move the item itself, Mr. Coursey.

Vice President Coursey: Resolution adopting the standing rules for the West Hartford Town Council for the 2007-2009 term, I move that we adopt.

Councilor Brennan: Second.

President Slifka: A motion has been made and seconded. This was introduced by myself and Mr. Davidoff and Mr. Coursey as the Rules Committee. That is really the reason for that designation. I guess I'll go first on that and I'm sure my colleague, Mr. Davidoff, has some comments. There has been a lot of rancor about this in the last couple days, and I believe it is unnecessary, so let me attempt to address that. This is not a radical change to our rules and it certainly does not result in the infringement of anybody's free speech rights and I think that after this passes, you will not see much of a difference if you are a watcher of Council Meetings, if you are a participant in Council Meetings, but there will be changes that the Council...will help us more efficiently run our meetings. That is the purpose of the Council rules. They are there to help us efficiently administer the business of the town. When we are here this evening, yes we are here in part to hear public comment items, but also we have a number of things that we consider of our own volition and other things we have a statutory obligation to hear such as zoning applications that take a lot of time. These changes do a few basic things. One, they re-orient the order of the Agenda to bring it more in line with where we've seen our Council Meetings go, how we would like them to be, and sort of as communication with the public has evolved. Our interaction and the use of television, for instance, is much different than it was

several years ago. Mr. Davidoff and I, as the two leaders here, are sort of tasked with trying to come up with rules that are mutually agreeable that go to that. Since we've both served on another body in TPZ, and at that time Leon was the chair and I was just an alternate member, we've got a lot of experience with this. So we've been kicking this around for a while. Ideally, we would have done it at a different time but, as you've seen, we have quite a bit on our plate this year and something like the rules has had to go to the back. We've also had many of our members of the public and many members of this body urging us to take this up as soon as we could. So most notably, I think we will be moving the report of the Town Manager up near the front of the meeting after the Public Forum. I want to state, with respect to the Public Forum, it is undisturbed. The rules remain the same. If you want to come here to speak to an item that is on the Agenda, that is how it is now, and that will be the rule in the future. We are moving the report of the Manager up in part because of what we saw tonight with the presentation of the budget. Now that was an actual item on the Council Agenda that had to be acted upon in the sense that we received it. But more and more, we have seen that the report of the manager has been something where we provide the community with updates on important information, that questions are asked by members of the Council that are of particular pertinence to the immediate time, and usually that is taken up at about 10:00 at night. And we found that, well we hope that some people are still tuning in at that time, but we sensed that many are not. And what really struck for me was some months ago, we had a discussion that came up in the Manager report about the concept of collective bargaining and how that worked and what the town's abilities were and what the rights of unions were, etcetera, a very illustrative discussion. And I got e-mails from a couple of people who said that was great, that is exactly what you need to see at a meeting. However, it was a shame it was taking place at 10:30. The reason was because we had a variety of other business that pushed that all the way to the back when almost nobody is watching and listening and nobody was here anymore except, I think, Richard Patrissi who stays in the audience. We said that is the kind of thing the public needs to see. We need to have some discretion to be able to move that up. We are moving the direct communications towards the end of the meeting. I will address the rules regarding that in a moment, but we found that these are also a very time-consuming matter and they are important but they are not relating to items that we are going to act upon at that meeting, so it's a timing issue. It is not like Public Forum where we need to hear from that group of the public before we get an item on the Agenda. So, that will go to that back because we could take it up at any time.

We are clarifying...now understand, these are not so much changes as they are clarifications. I sense there will be some disagreement on that. But this is my interpretation, Mr. Davidoff's, Mr. Coursey's interpretation, the interpretation of the Corporation Council of this town. Right now, the person holding the title of Mayor in conjunction with the Town Manager has almost complete discretion over, I would say actually complete discretion with one exception, over what goes on the Agenda right now. It says that the Town Manger and the Mayor, not me, whoever held the title, is sort of the gatekeeper for what goes on the Agenda. What practically happens? Every Tuesday a little before 10:00 a.m., we talk and discuss what items have been submitted by members of the Council, what items have been submitted by the Manager, what communications have come in, etcetera, and we figure out what to put on there. What is

implicit in that is that we also figure out what not to put on there. It is very infrequent that anything is not put on. However, it has happened from time to time. The problem is there is nothing to address what the rules are governing that, that it is entirely up to our discretion. And that is not something that we have been comfortable with. In years past, we have not had to really address that item. It has not been kind of a complicated thing. If we thought there was something that, you know, maybe was inappropriate, quite often we would contact the person who communicated that to us and we would discuss with them whether they thought it should...really, what they wanted to do is go to a committee or do something else. Sometimes they just wanted to talk to somebody from the staff and we are able to address it informally. I regret that times have changed and that is not happening anymore. We have always, historically, omitted items that we felt were inappropriate for the public. Now that is a difficult definition. That's subjective. We wanted to make sure that it is now less subjective because it is difficult to make it completely objective. In particular, this is meant to address two items. One is where someone writes in with a communication that is what I would describe as slanderous. I deeply regret that this happening every two weeks to this Council. With the exception of Mr. Visconti, the other eight members of this Council have been slandered on a bi-weekly basis. I have allowed all those so-called slanderous statements about me to make it to the Agenda so that you would not question whether I am gate keeping for myself. I have, however, on a handful of occasions, kept them out when they have referred to members of my party, members of the other party, and their parents, most notably. I think this is entirely inappropriate and it is not going to continue. The problem is the rule does not adequately address how we interpret that. So we want to make sure that that is in there. The second thing is, you know, we do have to efficiently administer our business. And you are seeing how this goes tonight. It is 9:15 or so now. We have still several important resolutions to consider. We have Mr. Brennan's items with the energy group. It has all been pushed back in large part because of how the meeting is oriented and I think that is not our intent, so we are trying to update that. Part of that is the communications, that if we have someone who has an item that is not really related to the Council in any way, shape, or form, or is something that the Council has heard on a number of occasions, we might want the discretion to be able to say that we don't think it should go on this time.

Now let me point out, though, there is something now that did not exist before, which is an appeal. Right now, if Mr. Van Winkle and I, holding titles of Town Manger and Mayor, decided that something wasn't going to go on the Agenda, there is no ability for anyone else to question that or put it on the Agenda if they think it is appropriate. One exception to that is that any four members of the Council, and this has been a rule for a long time, could call a special meeting on any item that they want. It has nothing to do with whether it has been put on the Agenda or not. That has only happened one time in the entire time I've been on the Council. And as a matter of tradition, this has really never come up. But the rule is that any four people could do that. So what we have created now is an equation to that where if there is a communication that I or Mr. Van Winkle, because they don't all go to me, deem inappropriate for inclusion on the Agenda, that we have to notify the Council and that any four members of the Council could appeal that and see that it gets put on a future Agenda. So this did not exist before. That will be there now. That is the substance of what is here.

We have added a decorum section where we are asking the public to observe the same rules of decorum that we are expected to observe as part of Robert's Rules of Order. As you've seen this evening in a previous meeting, several members of the Council were compelled to state points of order, which is really a Council form of protest to say that this person is out of order with respect to a certain speaker. And we want to make clear that it is in the rules that if somebody comes to the Council, I think all of our citizens, no, they expect to come here and behave with class and they do. Unfortunately, there is nothing in the rules saying that it is required. So we are going to put that in there.

We had one other change, which is very minor, relating to zoning applications and the information that we could receive. Quite often...this is a good one for Mr. Davidoff, quite often when we are in zoning hearings, the lawyer, the applicants, and opponents are all coming up with documents at the last minute and we want to make sure that it is clear in the rules that they have the ability to bring those in at any time before that we make the decision and that there is not some kind of obscure deadline that would arguably prevent that. We want more information.

That is the sum total of this. We reviewed it in the rules committee. We got the opinion of Mr. Alair and Mr. O'Brien. We've talked about how it would be in practice and I will say one more thing that is not in the rules but would be implicit in the adoption of them should they pass this evening, which is that we also have something called legislative history. From here on out, what will be set is kind of the spirit of why we adopted this this evening and then the Mayor's practice, be it me or anyone else who holds this office subsequently, and how they go about deciding how the Agenda is set up. I do not believe in my heart of hearts this is any infringement on free speech. I think that has been distorted and for those that think so, I have offered to speak with them personally, walk them through the rules, and walk them through how they would operate. I have attempted to explain that this evening. But I will put it into the record. Since all of our speakers this evening, I don't like the personalizing, but all of our speakers this evening on this topic reference particular speakers. I'll be very frank. Here is how I intend to interpret it. Ms. DiNapoli has appeared every...I'm referring to you, Ms. DiNapoli, not addressing you, has been on our Agenda, I think almost every single one in this entire Council term. She has written in on topics that we have deemed appropriate for Council consideration. I would not foresee any change if she continued to do this, any change in her ability to address this Council. The only difference is timing because the Council would be voting to change the order of the Agenda. So I would expect no change whatsoever there. You have it on the record. With respect to Mr. Milne, the problem we have had there, and I understand he disagrees, but for those who have watched this evening I think you see the source of our disagreement, is that he has written in with some items that we would consider appropriate, and those have been put on the Agenda. He has written in with others that specially seek to, as I would say, slander a member of this body or a relative or members of the Town Staff, and while you can agree or disagree with our policy decision, this is not about slandering people, especially in their professional lives and their families are completely off limits. I would do that for any member of this body whether it is a person who disagrees with me 100% of the time or not. That is my role and that is not appropriate for public debate. Now, free speech, they can still say it wherever they want. You can write a letter to the editor. You can scream it in the public square. You can make phone calls about it and all. You still have

that right. This Council has no business addressing that, but we do run this meeting and we determine what is appropriate there, and that is not. And I would expect that we have been keeping those off in recent times and in order to be consistent, we wanted to make clear why, that we were going to do it, and that there is an appeal process if somebody should disagree. So that is my summary. Mr. Davidoff, I don't know if you wanted to add anything.

Councilor Davidoff: Thank you, Mr. Mayor. I will be supporting the changes to the standing rules of the West Hartford Town Council for the remainder of this Council term and my reasoning is severalfold. First, we serve on the Town Council as volunteers. We are elected by the citizens of West Hartford to serve in a volunteer capacity and our job is to conduct the business of the Town of West Hartford and I think when we take the oath of office, we are to do our duties to the best of our ability and to serve the best interest to the people of West Hartford. Now I served previous to election to the Town Council as Chairman of the Town Planning and Zoning Commission. That body, in my opinion, receives probably more public testimony than any other board or commission in the Town of West Hartford. People come to the podium very well dressed, very well spoken, sometimes not very well spoken, but in an orderly fashion, and speak either in favor or against a particular application and when I was chairman, I let people speak either in favor or against or in the middle. We had three categories of speaking and the meetings would be done in a very orderly fashion and people were heard. I think that is the point that needs to be made. You want to be heard, so it's critical that you make your speech and your points important, that you want to say things so that people are listening to what you are saying, and yes, you say what you want to say and you mean what you want to say, but you don't say it in a mean way. That is something I learned in my Council service in 1991 in Newington. We had a lot of people called gadflies who would come every single evening - and in Newington, they would let you speak at the beginning of the meeting and at the end of the meeting and sometimes on every item during the Agenda, just have tons of public participation - and you sort of said to yourself, is it going to change the outcome of what we are discussing here? Is it going to make people feel like they are participating more in their government? I'd be the first to defend anybody's right to speech. But remember, not all speech is protected. And if it's the truth, that's fine. If you have something to add, that's great. I don't profess to know every single answer to every single problem that faces the Town of West Hartford nor do I expect my colleagues here to. I expect people in our community to raise the level of debate to a higher level to find solutions that we can make certain that we will find a way to solve any problem that this community faces. And the reason I support the rule change of moving communications to the end of the meeting is we've got an entire list of things that we need to accomplish. We need to take final action on things. And if we don't get there until 11:00, the people in the community are not well served because they don't have any idea about it. One just needs to look out and see that the amount of news coverage that one sees in the newspaper is shrinking. The number of newspapers out there are shrinking. So the only way people get information is on public access television. And if the thing runs at 11:00 at night, they have no idea what has happened. So, let's be real about what is really happening here. The thing is, Item #4 is going to be Public Forum. Any person in the public can come speak, address any item that is on the

Agenda that is not a subject of public hearing, and the Council is going to be more than willing to listen to those topics. What we are asking people are things that the Council cannot address or has the authority to make decisions about or things that really, why would you bring to this forum. Why wouldn't you bring it to a soccer field and talk to people on the sidelines? They have just as much authority to make a decision about that matter as this Town Council. So that is what we are trying to eliminate. Things that we have no power, no jurisdiction over doing. I think that makes a lot of sense to me.

With respect to the change on decorum, I don't know how many evenings I've left here and I say to myself, the most important people live within the four walls of my house and we would never behave that way at our home and I would not expect them to act that way here. And I've had members of my family in the audience and they have seen displays of decorum, which I wouldn't tolerate and I don't think any person or any parent in West Hartford would tolerate happening here. And it is not a fun thing to come to a meeting and listen to.

With respect to the change with respect to the documents that we receive, that is a technical change and it sort of makes us more in compliant with what we are doing.

Now there have been a lot of e-mails that I've received in the last three days about these rule changes. I really don't think that we are restricting free speech. I believe from the bottom of my heart. If I felt that we were, I would obviously not support this or be a sponsor of this resolution. But the thing that really, really bothered me about what was happening at these Council meetings was people were signing up in Public Forums to comment about what somebody else is going to comment in the Communications section. That's amazing. If Item #3 is Public Forum and #4 is Communication, how can you have an opinion and a comment about something that the person hasn't even told the Council what it is. It doesn't even make common sense. So now, if you have a comment about somebody's communication, you can come to the next meeting. You can talk about it then. I just think that that makes a lot more sense. I think moving the Town Manger's report to the beginning of the meeting is critical in light of the economic conditions we have today. We are going to have probably the most significant policy decisions that we have had in the Town of West Hartford since 1991 in the next 3 months. And you know what? People are scared, people are scared at home. They are scared about losing their jobs. They are scared about making their mortgage payments. They are scared about making ends meet and the last thing they want to know is that the Town Council meetings have become a horse and pony show. I don't think that is what people want. And people say to me over and over again, how do you do it, how do you sit there until midnight listening to this nonsense sometime. And they just comment upon the things that aren't significant and that we lose focus of the items that we are addressing, that we spend many hours in committee debating with professional town staff and residents who come to committee meetings. We lose all that. It doesn't make any sense. And then people say, well I'm not going to volunteer. I'm not going to run. This is ridiculous to go to a meeting and get treated like the way some of us have been treated during this Council term. Unacceptable! And it does not live up to the standards that the Town of West Hartford has set for itself. I'm optimistic that these rule changes will make the Council's business efficient, will give people who have something to say meaning, will encourage us as your elected officials to listen, and to have more productive, meaningful debate about the issues that matter to the people of West

Hartford. There are those who may not agree with me and you have the right not to agree with me. But those are the conclusions I've come to this evening and I'm glad, Mr. Mayor, that this evening we are talking about altering these standing rules because if we weren't, I'm certain that I would probably not seek re-election for this body. Absolutely, positively not because you know what, it is just not worth it. Thank you.

President Slifka: Thank you, Mr. Davidoff. Mr. Coursey.

Vice President Coursey: Thank you, Mr. Mayor. I will try to be brief. Actually, I had hoped to address...there were some students that were here tonight, which leads me to believe they were doing some extra credit for school or being punished by their parents.

Judy Aron: They were Boy Scouts doing their merit badge.

Vice President Coursey: Oh great. Thanks, Judy. But what I wanted to explain to them and I think it's worthwhile, it's a good lesson for everybody. I was taught that it is okay to disagree with somebody as long as you are not disagreeable. In this chamber, night after night that we sit here, many times people come here and disagree with us, sometimes very passionately, and you know what, that is great. That is the American way. That's what people died and fought for, to allow people to disagree. But I'll let folks in a little secret that you may not believe but it is true, most of the people, if not all the people that come here, they disagree with us, sometimes very passionately. I, and I don't want to speak for all of my fellow Council members, but I think I do, I respect them immensely. I respect their love of this town. I respect their commitment to public service even though they may not hold office. They volunteer. They are here also. And once we leave these chambers after meetings, we are friends, we get along. That is what it is all about. You can disagree with people without being disagreeable. What I don't enjoy, and quite frankly I am tired of, is when somebody comes into this chamber and decides that they want to smear a colleague of mine, or even worse, perhaps a relative of a colleague of mine, who never had their name put on a ballot. They didn't sign up for this. We all signed up for this. We can take it. That's fine. It's wonderful. Again, that is the American way. So again, to wrap up, this change does not alter anyone's ability to come here and disagree with us. What it may do though is make some of these altercations that became personal and vindictive and smear campaigns, we'll see less disagreeable behavior. Thank you, Mr. Mayor.

President Slifka: Thank you, Mr. Coursey. Mr. Adler.

Councilor Adler: Thank you, Mr. Mayor. Well first of all, I can respect the comments of my peers here. I've known Councilman Coursey for a while and Councilman Davidoff, we've grown to be good friends. I would have to disagree and not support the new rules or the revised rules as they are written. First of all, I agree. We have people that come here. I want to say that to change these rules because of a few bad examples, I think that what we can do is...we just don't change the rules in its entirety. We have people here that give us personal attacks, have given me personal attacks, that have created a hostile environment and also people that are thinking about coming down to speak about things

that matter to them most may not even want to come down because of a couple of people that really make this situation, this communication piece, just something that is not appealing to them because of the hostility or the insults that go on here. But I don't think what we need to do is to limit the topics. I really firmly believe, and I don't believe this is limiting free speech. I really think this is all about giving the taxpayers and giving the people that work, that live in this town, the opportunity to talk about whatever they want to talk about providing that they meet within the decorum standards, obviously that they are respectful, and that they are contributing something to the town. So I respectfully disagree. I truly understand your position and I understand the purpose behind this. I don't think there is any alternative motive about shutting people down and so forth. I truly think it is because we have a few terrible examples here that unfortunately have evolved this into a piece of legislation that has occurred. So Judy Aron had made a comment about some of the comments we may not agree with and I think we do our best to understand other people's perspective and we get them engaged to come down to speak about things that are important to them. It is not that we disagree with them. It is just that they are just downright rude. As I think Minority Leader Davidoff had alluded to, you know, we came on here. We volunteer. We spend an enormous amount of time. To be honest, to put up with that crap is just, is too much. I think what we want to do, is we don't want to limit the opportunity for people to come forward to talk about anything. They may have experienced something in another municipality or another state. It's just I don't think we want to get to a point where we are kind of filtering or we are kind of sizing up whether or not it is appropriate because I don't think that is my job. I think we should be allowed to give them the opportunity to do that and I certainly don't think we are trying to limit free speech here. That is not the intent of my comment. I just think that we should have an opportunity where if it is something that is important to them, then we should have the opportunity to give them a chance to speak. So I want to thank you for giving me an opportunity to do that. Thanks.

President Slifka: Thank you. Anyone else? Mr. Visconti.

Councilor Visconti: Thank you, Mr. Mayor. Before we begin, I would like to find out what the quirk in the law was. I spent some time with Deputy Attorney Counsel Pat Alair and I'd like to find out from him about the quirk in the laws about the amendment not being able to be put on. We went over this and maybe there is something that Pat had to check with Joe on. Maybe that is what this is about.

President Slifka: I can have Mr. O'Brien address it, but I can summarize it. It stated that if you were to, that any proposed change would have to first go to the rules committee to be considered, which would leave us with the situation of moving to adopt tonight and then having to set those rules as they were and if you or anyone else wanted to offer an amendment to it, it couldn't be considered. And it was sort of procedural anomaly but that was what was in the rules. What we, as we went over it, decided to do was that if your amendment had been proposed prior to today, it could have been on the agenda, etcetera, etcetera, and we wouldn't have really faced a procedural hurdle. What we are doing is suspending the rules to allow you to bring it up tonight and it can be part of the entire discussion.

Councilor Visconti: So it will be part of the discussion tonight, the amendment?

President Slifka: That is the entire purpose. We would have had a very odd situation.

Councilor Visconti: Pat was going to get to Joe on this quirk and he didn't know what it was.

President Slifka: Right. But that we would have said, Mr. Visconti, based on their advice, we would have to say, Mr. Visconti, we can't consider the amendment until it goes to the rules committee, which didn't make any sense.

Councilor Visconti: Right. Pat did mention that it would have to go to the rules committee but he was vague on whether we could put this on tonight.

Councilor Visconti: Well, that's fine. He was going to check with Joe later and maybe that happened after we did our work. I've got some time I want to spend on this as the Mayor and Leon Davidoff have spent on this. To me, I'm all about activism and public involvement. You all know my history. And I was up all night last night. Jeez, it was 2:00 to 4:00 tossing and turning on this issue. The reason it didn't come to amendment sooner was there was some things I had to learn about the law, some things that I had to speak about with the attorneys, and I was kind of flushing out some of the questions in my own mind about what do I stand for, what is this about. I could understand the Mr. Milne effect and some of the desires of the Council but I had hoped, and I do believe, all of it wasn't for that reason written. But that being said, in a case as Mr. Milne's, and I haven't address it yet, I'm going to address it tonight. I did speak to the Town Manger about if anyone, and not just Mr. Milne, if anyone says something - and that is why I love the decorum addition here.. I think it is important - that if anyone says something or if they are out of order, let's just say that, that the Mayor should have a button to shut off the microphone and proceed to close it down. No emotion. No gavel slapping. No arguments. It's just done. That's it, if they break the rules. Very, very nonchalant. As far as slander goes, that's another issue. And just so everyone in the public knows, I've been working with Mr. Milne. He is a very, very intelligent man. He's got some things that, and we talk about this all the time him and I, he calls up a lot, and I've been trying to work through on the legal end and trying to keep a voice and a line open towards some of his problems, but this isn't about him because if there are things that were done, then they should be silenced by the Council if we think he is out or order or anyone is out of order. But just so the public knows, I've been working, cause I listen to anyone out there, we get people that call with complaints and a lot of problems and I think most of everyone here at the table works with them, phone calls, and tries and to work through some of the things that are happening out there. But I'm all about the public having the right to speak. And as I learn more about this rule and the laws of the rules of Council through Pat today, we were sitting down, we've been going back and forth for a couple of days in e-mails, it came to my attention the FOI requirements. In other words, the reason things have to be on the Agenda and also through communications is so that the freedom of information has the requirement that we speak about it and it is posted 48 hours in a

notice. So as I deliberated most of this and looking at the big picture, freedom of speech, basically people wanting to engage, I thought that it would be a good idea to put something at the end of the Council similar to what the Board of Education does, and Pat came up with a great name. He called it, what the heck, what was my amendment? There is a name for the area of...

Pat Alair: Community Comment.

Councilor Visconti: Yeah, the Community Comment period. And what this would mean and there is something missing in here anyway, so I'm glad this may not go all the way...I think what may be missing is we can speak about anything, my amendment, but I think things that are subject to public hearing cannot be spoken about. So that is not in my amendment. I kind of found that out tonight. So the amendment isn't complete. That part legally would have to be put in. But my thought was that the public would have a chance to speak on any issue that it wanted that wasn't subject of a public hearing for 3 minutes after we've done our business. I would stay longer. I think most people here would stay longer if people were going to stay. But this is important. Because of the freedom of information, we are not allowed to act as a body on anything that you may speak about on this public comment period at the end of, that I have proposed as an amendment. But it gives the people like a quasi, kind of a mini public forum we had during the, Council had, the Mayor held a few weeks ago. It gives you the opportunity to come. And let's say in this day and age, you didn't have the 7 to 10 days written notice on an issue that you would like to address. Hopefully public business, hopefully something that is on your mind, or something that has timely happened within the 10-day period from writing a letter and being accepted through communications. You would have the ability to speak towards the public and say your peace of mind or bring your thoughts or your ideas. We, as a body, could not act on that because, at that point, the FOI law would kick in. So my thinking was that there would be three forms of speaking. One would be through communications where you write in, as the Mayor alluded to, and all the processes. Second would be the public comment period at the beginning where you address only what is on the Agenda. And third, a time when you walk and come, or whoever wants to come at 10:00 or 11:00, and bring some ideas or thoughts. The Board of Ed does it too, public, you know, beginning and end to their committee meeting, so I think that it was something that would be reasonable. I understand that it could open up the doors for more people to slander, to yell, or just throw rocks at us, and that is why, again, I like the public, you know, the decorum issue in there because I do believe that if things are going to be slanderous or if they are not, if they are going to be truthful about something, we should have a grievance committee for Councilors and not necessarily do that here. If you've got a beef with a Councilor or something that is happening, it should go to a grievance committee and be part of something that you can file a complaint or work on. That shouldn't come to the table personally, especially many of the people here that have been attacked. Some of it, it got real cagey and I've sat back. I've been trying to resolve a lot of things behind the scenes. Whether I'm successful or not, time will tell. But I propose this amendment not necessarily to allow more discourse that is not well and not good for the public but to give you all and everyone in town the ability to make a comment on something. That was the spirit and the heart of my amendment and I'm

sorry it came in late but I...basically, I'm not a lawyer and even the lawyers had to check things today to find out the procedures of how this works. So whatever we vote on or don't vote on this, I just want to express that I'm all about the public being involved, especially in these times when they are frustrated, when they are upset, and they really may have good ideas and want to just walk in the door, why not. This is America. Why not.

President Slifka: Is that a...have you moved your amendment as a result of that, Mr. Visconti??

Councilor Visconti: Yeah, I would like to do that now.

President Slifka: Is there a second?

Councilor Adler: Second.

President Slifka: All right. I take that as discussion on your amendment. Is there further discussion to Mr. Visconti's amendment? Dr. Thornberry.

Councilor Thornberry: I think to the issue of having something at the end, from listening to Mr. Visconti, we really, as a body, have to decide what form of local government we have. It is either going to be Council Manager form of government where we are the representative or it's going to be kind of a kin to a New England Town Meeting, which we don't have by charter. You know, whether people like us or they don't like us or like the decisions that we make or they don't, you know, we still are elected representatives. We really...and it's hard, I mean we just don't have a direct democracy where you can just come in and talk about anything you want to. I think in this time, it is interesting that I would rather have and have had a phone call or an e-mail about someone's concern that is not on the Agenda for that evening and deal with them one on one and spend a half hour on the phone or meet with them than to just have somebody or groups of people just come out and just throw out anything. Certainly, to have the public forum at the beginning to comment on things that are on the Agenda, I've often thought over the years that I have been on the Town Council, sometimes that input is actually too late. I would have preferred to have a phone call or an e-mail, you know, at least 2 or 3 days before I had to sit down here and make a decision. Sometimes people's input is extremely important. They have a story to tell. But, you know, I don't think community participation can be defined as putting a spot at the end of a meeting for any kind of just public comment. I don't know how that would really be that beneficial. Thank you.

President Slifka: Thank you. Mr. Verrengia?

Councilor Verrengia: I just want to say that I'm going to support this measure and I probably just look at in simple terms. .. I'm sorry. Not to his amendment.

President Slifka: We'll go back to discussion of the whole thing when you are done with Mr. Visconti's amendment. We are just in discussion on the amendment right now.

Councilor Verrengia: I don't want to speak to his amendment.

President Slifka: Okay. Then, Joe.

Councilor Visconti: Carolyn's point, the people could have been here earlier and if they missed out, maybe at the tail end of the meeting, as the Board of Ed does, people could speak about things that are coming up in the weeks ahead, again not subject to public hearing because that is against our rules, but again, I don't see it as a community forum. It is a time as the Board of Education does at the end where the public can comment. And again, the spirit of it has to be constructive. I mean we really want to go constructive. All of us here at the table are working together more and more because we are in hard times. We can't be fighting each other. Nobody wins this war. There is no political win here. This is about the people, I think, having the opportunity. How many people really would stay? Two or Three? Again, Carolyn, my idea was not to subvert the changes and the restrictions and limitations to allow anyone to gain this, but they are truly for the public to have the ability at the end of our meeting, which would be late at night, to speak. Again, I would offer if anyone has any changes or adds to something that I've proposed that you think would work best for the public, again, on my amendment, I'm open.

President Slifka: Mr. Coursey.

Vice President Coursey: Yes, thank you, Mr. Visconti, for your work on this. I just want to make sure I understand this correctly and I appreciate the work you've put into this. The change that you or the amendment that you want to add to the resolution in front of us is just the Section 8 with the community comment, and to paraphrase, community comment is kind of left open-ended. People can come to speak but they don't have to say what they want to speak about before they get to the podium.

Councilor Visconti: Right.

Vice President Coursey: Okay. Aside from that, you support the communications part being moved from the beginning of the Agenda toward the end of the Agenda.

Councilor Visconti: Yes.

Vice President Coursey: So that is the only real change.

Councilor Visconti: Yeah. There is a change that is not here..about speaking to items with a public hearing...

President Slifka: That doesn't apply.

Vice President Coursey: It's a given..So the only difference in what the original amendment, I mean the original resolution, and your amendment is that folks would not have to say what they were going to talk about before they are at the podium.

Councilor Visconti: That's correct. And Chuck, because we move as a body under communications, it has to be pertaining to the law, so I can understand maybe we don't want to address binding arbitration or the MDC or issues to communications we can't control. But somebody may want to speak about something like that at a public comment, you know, our road, our streets, our sewers, but it is not under the privy of our authority, I don't mind it being removed under communications, but as long as people can have the free will to address something. And again, we through decorum, should be able to shut anybody down in the future who goes nuts basically. I think we should have a button over here and the Mayor should be able to push it.

Vice President Coursey: Again, through you Mr. Mayor, I couldn't support that amendment. Right now, if somebody wants to come and speak to us, they have to tell us what, I mean, the subject matter is made known ahead of time. So, I think that it is almost redundant to have both communications and then another communications but people just can't tell us what they are going to talk about.

Councilor Visconti: But we are not able to move it either, so we are listening. A lot of us around election, we want to hear your. We want to listen. So you can listen, but we can't act on it because of FOI.

Vice President Coursey: I think we can listen throughout the entire Agenda. Thank you.

President Slifka: We don't act on the communication either. We just receive it. That is the act that we take. Our only action is actually to hear it.

Councilor Visconti: No. We could act on it afterward during the Council meeting.

President Slifka: No. You would have to have an actionable item that would be part of it. What we do, we get a communication that says I would like to talk about this and usually they've summarized it. All we do is receive their comment on it. There is nothing for the Council to act on.

Councilor Visconti: We can act on it, but...

President Slifka: No, we couldn't. Hypothetically, you would have to then find something that is actionable, suspend the rules, have a resolution written up in time to meet all the other Council rules, because there would be no public notice that we were going to act upon it.

Councilor Visconti: Well, that's not what the guy from, the attorney...

President Slifka: No. What Mr. Alair is talking about is it's the act of receiving it. That is our only action. We can't vote on implementing what somebody suggested. You could do it, but you would have to suspend the rules, which means the community wouldn't know that we were doing that.

Councilor Visconti: Right. Right. The whole process we are involved and we have authority. At the end, we are listeners and that is what the spirit of what I have written.

President Slifka: Mr. Adler.

Councilor Adler: Thank you, Mr. Mayor. I think just the difference here or the rub here is that with the communication piece, it is, again, it's a little bit more structured as to what would be considered appropriate on behalf of yourself, as well as the, I guess the four additional councilmen would have to agree on it.

President Slifka: No, just four. It could be me. It could be without me.

Councilor Adler: Okay. Well, but again, I think that is the rub on this issue. I think with the community comment, what we are trying to do is we are trying to make it more open in terms of talking about anything, any particular topic. The decorum, I think, is a huge add-on, based on the recommendations from the rules committee and we support that. I think, again, people acting out of line, people not using their reasonable man or person standard and not behaving appropriately, those people should be shut down immediately. But we just want to give the opportunity for people to be able to talk about things that, again, I can even size up some examples because it could be important to them and we may think, well, how is this germane to what we are doing here. So, I just wanted to kind of give you some additional thought around that, Mr. Mayor.

President Slifka: Anything further. Mr. Visconti.

Councilor Visconti: Yeah, one more thought, Mr. Mayor. And maybe you can delve into this a little bit more. The issue of what you would like in your proposed No. 7, a portion, not necessarily repetitious matters, but subjects regarding which the Council has no jurisdiction or authority shall not be received. There could be circumstances, I believe, that people would want to address things that are at the state level or federal level that affect us. Again, this would be up to your discretion.

President Slifka: Well, it is already. Understand this. This is a clarification. It is already discretionary between consultation between the Mayor and the Town Manger. That already exists. We are not making it discretionary. It is already discretionary. We are now clarifying what the rules of discretion are. What you just cited, I would define all those things as within our jurisdiction. What I would like to have the right to do for our body is that if we have somebody write in about something nonsensical, which happens from time to time, like I want to talk about the UFOs that were over my home, that we can say perhaps that is not something that we have to bother the Council with and we can kindly contact that person another way. Right now, nothing like that is in the rules.

Councilor Visconti: On the issue of No. 7, how would you treat someone's communication under the MDC or binding arbitration or a host of things outside our control?

President Slifka: I would put that on the Agenda. I have, under my discretion, I have put that on the Agenda and I would continue to put that on.

Councilor Visconti: But you are writing here, things that are outside of our jurisdiction shall not be received. No. 7.

President Slifka: Joe, we can't perfect this. And that is why we put in the appeal process.

Councilor Visconti: So in one case, they may be accepted and in another case, they may not be.

President Slifka: Except that the history is, they have been accepted. They have been accepted. I'm stating to you, as the person who would be interpreting that right now, that they would continue to be accepted. So, you've got that on the record.

Councilor Visconti: I think you are getting yourself more into hot water writing this where the jurisdiction or authority shall not be received and the remedy for that could be that people could speak about these issues during a community comment period.

President Slifka: But that is the whole point. Is right now, you want to maintain it that if we think somebody is entirely inappropriate, they have to, we would have to put them on the Agenda, put it out in the public what they are going to talk about that is inappropriate, have them come up here and then once they start to talk about it, say you know what, you are being inappropriate. Don't continue.

Councilor Visconti: But under any conditions, Scott, from public comment period to communications, as we've witnessed tonight, or even this proposed amendment, people could do that and you are going to have to shut that down anyway. It is not something that you can ...

President Slifka: But Joe, it is inappropriate and it is a waste of our time. This is just a clarification of how the rules are interpreted..

Councilor Visconti: So you basically will not support the ability of the public to come and comment?

President Slifka: Oh, please.

Councilor Visconti: I'd like to know. I'd like to know.

President Slifka: Oh, please. You know, this is exactly what they community doesn't need. This is the garbage..

Councilor Visconti: It's not garbage, Scott. Scott, it is not garbage. You are not giving me good enough reasons for ...

President Slifka: You have told them things that are not true about this. Now we can disagree about it.

Councilor Visconti: I have told who?

President Slifka: We can disagree about it.

Councilor Visconti: I have told who, Scott?

President Slifka: Joe.

Councilor Visconti: Scott, what are you accusing me of?

President Slifka: How about the 10 people that we all got e-mails today talking about the infringement upon free speech, the removal of their ability to ever come and speak to the Council, and that is not the case.

Councilor Visconti: It's on the Agenda. They passed around e-mails and they have done this.

President Slifka: Yes, they have. And some are crediting you with the information. I'm sorry to tell you.

Councilor Visconti: If I gave them the information it would have been clear and it would have been stuff I had today, and I didn't have it until today. So none of that went out. But the fact is that this doesn't have to be, you know, the way it has to be.

President Slifka: Mr. Coursey has called a question. Can I have a vote on Mr. Visconti's amendment? All those in favor? Those opposed? Amendment fails. We return to discussion on the motion as a whole. Mr. Verrengia, you've been waiting.

Councilor Verrengia: I'm going to be really short. I didn't think it would be this long. But really how I see this and the reason why I am supporting it is, I think it is about setting priorities. Scott, you had mentioned about, you know, the advent of television over the last so many years. The rules didn't take that into effect. The reality is that most people tune into the Town Council Meeting within the first hour. The gallery here is full of people. They are watching it on TV and I think one of the most important parts of our Town Council Meeting is the Town Manger's report because that is where you find out what is going on town and different policies and everything else. And it is 10:00 at night and we are not even there yet with the exception of tonight. He had his budget process but that was the exception rather than the rule. So I would rather have the community hear what is going on with the Town Manger's report and the Town Council business before I let an individual have the opportunity to talk about a police officer combing his hair behind the building. And by the way, I wasn't the police officer. So for me, it is about setting the priorities. You guys talk about transparency in government, you know, and then we are not transparent sometimes and all these things happen in the committee

and the community doesn't know about. But you know what, the community is going to know about what is going in own first before somebody else weighs in and I'm certainly not suggesting the restriction of freedom of speech because that is not even the issue here. We are setting priorities and, as far as I'm concerned, I believe the majority of this community would agree with that.

President Slifka: Thank you, Mr. Verrengia. Mr. Brennan and Mrs. Cantor.

Councilor Brennan: I already told Mr. Verrengia that I think he has very nice hair. To Mr. Davidoff, Mr. Slifka, Mr. Mayor, and Deputy Mayor Coursey, great job. This was a great bipartisan effort. It was well thought out. It was clear. It's pragmatic. We are elected to do the town's business. It is time to roll up our sleeves and get back to that. Great job guys.

President Slifka: Thank you, Mr. Brennan. Mrs. Cantor.

Councilor Cantor: Thank you. I also want to, I sincerely appreciate the work and the thoughtfulness. I know that you spent time on it and you really did think about the impact that this would have and the efficient way that we could bring our business to the forefront and inform people because we are facing some very turbulent times. It is going to be a little bit of a roller coaster ride and we want people informed. Scott, the Mayor, and I have talked about that a lot with the budget challenges coming up. It is how do we get people to be as informed as they can be and make informed decisions. Many people have given me feedback on the Council meetings and have said I would love to come and speak but I am intimidated and I am a little ashamed of what is going on. Many people have also said, why do you put yourself out there. I've been one of those, we all have been personally attacked, but unfortunately, my family members have been too and I resent the fact that anybody has been brought into this that isn't serving, and I do want to state for the record that I am a registered CPA. I am not a licensed CPA. I don't serve on the Council on CPA business. I also want to say that the world has changed. These standing rules have been standing for a long time. Times have changed. We have the internet. We have the telephone. We've got cell phones. We've got text messages. We have Twittering. We have many, many, many ways to receive information and communication. I have not heard that any member of this Council has been unwilling or unable to respond, to listen, and to respond. And I agree with Councilor Thornberry that many times when individuals come to us prior to the meeting on a one on one basis, we have the ability to really talk to them about that and we raise those issues and they are thought out. We also, I go into the government classes occasionally and we will talk, and they do get credit for coming to our meetings. We are setting the example on how we want our future to behave and handle very important, professional business. They are bombarded with very unprofessional behavior on so many levels that I am proud of the way that we handle ourselves and what we expect our public speakers to do. I also think that it is a very valuable tool to have people think before they speak about something and writing ahead about something that they want as part of a permanent record, I think is a very valuable process. They can think about it and submit it, you know, over the week. If they thought about it and submitted it, you know, you may have to wait a week or two

to submit that. Again, we are open to communication 24/7. So the decorum piece, I think is critical and well needed and we have the responsibility. As people have said, West Hartford sets a standard. I want to set a standard not only for other towns but for our students and our own population and for our future.

I also, I think that the rearrangement of the Agenda, the way things with the rules, would be a very efficient way to handle business, and I really do want to thank you for giving it this thought and addressing it. It was not a political expedient thing to do and I appreciate the bipartisan nature and the civility that you did this with.

President Slifka: Thank you, Mrs. Cantor. Mr. Adler.

Councilor Adler: I just want to make one more comment because the two of us are supporting a revision to this. That is why I am speaking a few times here. First of all, I think to the transparency comment on Councilman Verrengia, I am certainly not saying that we are preventing transparency to your comment. I think we have come a long way. I think we have the transcripts now. I think, certainly, we have open forums. I think thank goodness for West Hartford TV on having the playback on the internet. We can watch ourselves over and over again. You don't have to wait until the end to look at the communication. So I don't think transparency is that.

And just to Councilman Cantor's comment about personal attacks and so forth, it is so embarrassing for me to go home after hearing the attacks that have gone on, personal attacks with her, particularly you because you seem to be the Council person of choice for some reason. It is just embarrassing and I have people ask me about it and I can't even begin to comment about it. So I think it is just something that is too much. It is amazing we are spending this much time on it because of two people or, if not, one person.

I am only concerned, I agree with 99% of this rules change. My only concern is that we don't give people the opportunity to talk about, you know, whatever happens to be on their mind at that point. We have the decorum portion, which could be the enforcement part of turning them lose. I just want to re-emphasize that with this group and the people in the audience and at home. Thanks.

President Slifka: Mr. Visconti.

Councilor Visconti: Yeah. I want to make it clear for the record tonight to the public at home, this isn't grandstanding and I would hope that this tonight was a night when the public at home could actually come down to Town Hall on the night of a Town Council Meeting at the end of the meeting and speak about things that are on their mind. Some of the arguments tonight spoke about how you would take a week or two to write your thoughts and get real clear. I think many people at home are real clear about things that are bothering them or their creative ideas. And I think in this day and age, not to be able to come and speak about a subject that is not subject to a public hearing, with decorum, is a perfect opportunity. But that is not going to happen tonight. Not in West Hartford.

President Slifka: Okay. Anyone else? Mr. O'Brien.

Mr. O'Brien: Yeah. Just one quick technical amendment. Rule 43. New Rule 43 references Rule 10. That is actually new rule 11. So just a quick technical amendment.

President Slifka: Thank you, Mr. O'Brien. Okay. All those in favor? Those opposed. Motion passes. No. 16 Mr. Coursey.

Vice President Coursey: Thank you. No. 16.

President Slifka: Oh, thank you for the reminder. I would like to entertain a motion to suspend the rules for the purposes of discussing 16 and 17 together. They are very similar as you will see and then we will vote on them separately but do the discussion at once.

Vice President Coursey: So moved.

Councilor Adler: Second.

President Slifka: Mr. Coursey and Mr. Adler moved and seconded. All those in favor? Those opposed? Motion carries. So, actually they are now one so we will...Mr. O'Brien, technical matter. We move that they can be discussed together but do we now have to move them both?

Mr. O'Brien: No, no. You could still vote on them individually.

President Slifka: We can just talk now.

Mr. O'Brien: Yes.

President Slifka: Okay. All right. We are fine. I think I am going to turn it over to Mr. Brennan and with the apology that, and to all those that were in the audience here earlier supporting this that we are sorry it is going on so late. Mr. Brennan.

Councilor Brennan: Not at all. Thank you, Mr. Mayor. This evening has been notable for a number of things including its quotes. So one comes to mind in light of this effort and it goes something like this. It is rough. There is nothing stronger than the heart of a volunteer. I heard that from Alec Baldwin. I was watching Pearl Harbor. He was playing the part of Jimmy Doolittle right before they raid Japan. So we are not raiding Japan here, but we are attempting, through these energy resolutions, to do a couple of things. One is to address things happening in our environment, to address global climate change, to do our part in doing that, to do our part in addressing what is now known as the problem of peak oil, to do our part in addressing issues with air quality. But it is amazing what has happened recently in our economy, which is that in making these efforts, we are also doing our part in addressing what is a very volatile part of our budget. Both of these resolutions, I'll address them once in specificity, are meant to save the town and others, both in the short term and long term, a lot of money. In particular, actually it is the second item, is what is sort of the fruition of a resolution that we brought back in

January to ask the town, together with the clean energy task force, to establish a comprehensive energy plan. And in doing so and those great hearts of great volunteers, I would like to acknowledge those who worked on that plan. And they worked on it throughout every single week between January 8th and this past week. We met on it every Thursday night for 2 hours and not in any order, Roger Smith, Paul Popinchalk, Robert Palmer from our own town, Robert Bell, Joseph Campanella, Tom Coughlin, Rachel Hurvitz, Dylan Kletter, and Kelly Kennedy.

The plan that you have before you is rather lengthy. You have an executive summary, but I want to tell you up front that any bigger ticket item is in a recommendation part of the plan. We are, at the same time as I said, we are trying to find ways to save money for the town in the short term and in the long term, so understanding what the Town Manger presented in wearing his professor hat, as our chief economist, we are in difficult times. So these are items that we want to do, we suggest to do, when they are the proper time. But each of those items also is meant to save money over a long period of time, so think of these as an investment, not in the Wall Street term, but an investment where we save money for the town in a long-term way. That is where the term sustainability comes in. We want to sustain both the environment of West Hartford but also the economy of West Hartford. We spend, and these numbers can be corrected, but in recent memory, it was something like 8% of our budget on things related to energy. The town does a wonderful job today in addressing that problem. Recently, the Town Manager informed us of a wonderful piece of news from our CFO, Chris Johnson, who had negotiated a supplier contract for electricity, saving the town starting January of 2010 over \$400,000.00, just in a negotiation, taking advantage of what I think is something like a forward futures contract, locking in that pricing which reflects the downturn in the economy, but saving a lot of money. The town deserves a lot of credit for what has already happened.

Along that same line of thinking, I also wanted to mention that in Roger Smith's comments, he talked about, you know, a new effort by the town. He is both correct and I do also want to clarify something. The clarification is, this town, this Town Council, has done tremendous work long before I ever arrived. Councilor McClay brought the 20% by 2010 campaign together with the Town Council. The Mayor has signed on to numerous challenges to be a leader, not just in the state, but in the country, on things related to energy. But Roger Smith is also correct because every time we do something, we are starting anew. Energy changes as we speak, both economically and in terms of inventions. We need to continue to sort of re-invent ourselves on that front and that is also what this document does. It is a living, breathing document that is meant to be flexible. It calls for an update annually. It calls for sort of reporting by members, each divisions of the town, departments of the town, to report in on what they are doing.

As various speakers mentioned, the plan is comprehensive in the sense that it covers buildings, lighting, vehicles, procurement, but also my own personal favorite, which we call it the culture of conservation. In each of those topics, we would like to sort of further what is becoming a culture of conservation in this town, just as we are doing in our homes. We are findings ways both in terms of the way we use energy or don't use energy to save ourselves money, but also to have a sense of our own carbon footprint and the impact it might have on the sources of energy. There is a section in the introduction on the culture of conservation, which reflects mostly what the town is already doing.

There are a number of people who are leaders on this issue, both, you know, in the town side, on the Board of Ed side, principals, teachers, students, etcetera. It involves both leadership. It also involves stakeholders, those users of energy, being part of the fold. It involves education. It really means we are going to continue to bring this into the ethos of the way the town operates.

We know that all sounds good. But we also need to measure it and we did recently. In the schools recent energy competition, we've talked about this before but it warrants again, in just one month of effort we saved, they saved, the students and the users, the janitors, saved the town \$30,000.00 without any – it's just a competition – without any real structure, 187,000 kilowatt hours. We need to do more than that. We need to make that permanent and annualize that and then double it and turn it into a 10-year plan. There are so many opportunities for savings on that front. Again, kudos to those involved with that. That was another good citizen, Heidi Golden, who led that effort.

I also wanted to highlight what one of the speakers and one of the members of the group talked about, Dylan Kletter. Dylan is a recent graduate from UConn Law School who volunteered to us his services and his good work that he did at UConn Law School in establishing an energy plan for them. What Dylan said, if you remember, was that we need to continue the good branding of West Hartford. I think everyone here agrees with that. It is hard to disagree with. I was proud to hear today, I happened to be at the legislative office building, a member of the Clean Energy Task Force from Portland said that he will be introducing, in fact he wrote to us on this front, he will be introducing a substantially similar plan to his town. I think that is wonderful. There is nothing proprietary about this. West Hartford has always been a leader, again, all through our volunteers. Let's spread it throughout Connecticut and that will help obviously make the state more sustainable but also save some money through other towns.

So that is resolution number one and the policy is substantially the same for resolution number two.

The second resolution, we put together simply because it is really outside of the scope of this first one. The first one deals with what the town does. Anything that the town owns or uses or has control over is the subject matter of the first one. The second resolution is to encourage land use applicants to consider and implement energy efficiency measures. The point here is analogous to what something you witnessed tonight. A few years back, this Town Council encouraged land use applicants to check in with their neighbors first, prior to coming to the Town Council, to see how their neighbors feel about a particular application. That makes a ton of sense, right? We don't want to see for the first time, at the Town Council, neighbors who are surprised by something that is about to happen next door to them. That makes just no sense. So we, we didn't require that, it turns out, we encourage that. But guess what? Every single land use applicant does it because we've expressed that it is our policy in the sense that we desire it but they also understand that it is the right thing to do and actually, as it turns out, and here is the magic piece, it makes it much easier for their application because if you went over the neighbors, then it makes it a lot easier in terms of the town making a decision. So this is the same point here. We are encouraging land use applicants to consider and to implement sustainability measures. There is a whole laundry list, which I won't read for you, but similar to what we are talking about for the town. The reason for

that is, we understand it from those who are involved with the process of building. The way it usually happens is there is an architect. The architect picks the engineer. They talk about how a particular building should be designed or redesigned and what is, at the moment; often missing in the process is a discussion on energy. Now, clearly improved energy uses, whether we are talking about pollution or whether we are talking about demands in our grid, that awareness, addressing that issue, really helps all the people in the town. But it also, by again bringing this into the ethos of people who use the town for applications and build buildings and additions and such, it often saves them money. And sometimes that is a wonderful awakening for people to understand. So that is what that second resolution encouraging land applicants to both consider and implement energy and sustainability efficiency measures. So with that, I summarize. I know we are a bit late. Thank you for the time, Mr. Mayor, and I suppose we do now have to actually move them.

President Slifka: We will. Is there further discussion? Mr. Visconti. Mr. Adler.

Councilor Adler: Thank you, Mr. Mayor. First of all, I want to congratulate Councilman Brennan and his team on putting the Comprehensive Energy Plan together. I will be supporting these resolutions, as well as the plan in its entirety, from a perspective that it provides an energy roadmap for us for the future. Certainly, the cost saving components to it, even aside from the budgetary issues that we are faced with over the next 3 to 5 years based on our in-house economist, and as well as the component around the energy trust, which I am not sure if Councilman Brennan had got too much into it, but correct me if I am wrong, but it is basically the money that we save, we put it into a trust. Then we reinvest it back into the energy program. I think that is the component to it. So I think that is just great. (Inaudible)

Councilor Adler: Sure. That would be great.

Councilor Brennan: Right. The energy trust or trust of assets from savings is one of the recommendations, not requirements. There are several aspects of things financial of ways to try to get there in terms of things that you would have to spend on, but again, each investment has a rate of return where you are saving money along a period of time. But again, that is something that we would want to have go through Finance and Budget and have, you know, the Town Manger weigh in on. I would be surprised if this could be a Day One thing. I think it has to, we have to, we have some more urgent things to deal with, but something to have on the list.

Councilor Adler: So again through you, Mr. Mayor, I just want to finish up my comments real quick. It is going to create sustainability for the town. Financially, it makes a lot of sense. I think what we are doing here is that, you know, we are all feeling somewhat comfortable about the cost of gas to some degree, but we are bigger than that and we are essentially looking for new opportunities for new renewable energy sources and a plan to make that happen in the long term. Again, I congratulate you and your team and I'll be supporting it.

President Slifka: Thank you, Mr. Adler. Mr. Visconti.

Councilor Visconti: Thank you. Two issues. One of them, I am a licensed home improvement contractor and I can tell you, the new building code and the products that are out there today are fantastic, so people that are renovating, looking at issues such as their attic space heat loss, proper ventilation of the roofing, windows, you name it, the materials are there today. Some of them a little more costly but in the long run, again, you get your money back. So I would encourage everyone who is doing home improvement contracts to actually talk to their building contractor about what is available. I am not sure of all the details in here, but it is a biggie in our industry.

The second thing is I got a communication, finally, back from the Board of Education from one of the higher-ups there. I had a requesting for school bus utilization and come to find out, we don't, at the present time, count the students that are using the school bus. I drive my son to school everyday and bring him back and there are a lot of people in high school that do that. So I had kind of been after, I want to find out what the utilization is because I am kind of sinning against this. I have a car for my kid to take it but he is not on the bus. The school buses are outside contract and the town, the Board of Education, can, if we request, do a study on the school bus utilization, maybe put some rules in where you get your card, you know, get your card by September 1 or whatever, that we know who is on the bus and maybe bus routes can be changed. So again, I did notice in here the outside contractors and that is a great place for us going green, even though they are diesel, and even though we contract and the fuel is part of the contract, there are ways that we can work with the outside contractor to find the utilization of the school buses that perform the highest. It may not work everywhere in town because we have so many schools but we may be able to save some money there and go a little bit more green. This is a great job you guys did and it is fun reading. It is good reading. I know that in the long run it is going to be better for West Hartford and for the state and the country to invest in a lot of these new technologies. Even though we are in a recession, there is no better time to really, like you said, conserve. Thank you.

President Slifka: Thank you, Mr. Visconti. Mr. Coursey.

Vice President Coursey: Yeah, I'm sorry. The hour is late. We all want to go home, but I didn't want to let this pass without congratulating Tim and the task force, but you especially, Tim. You really picked up the ball on this issue. You've made it your own. You've done a great job with this and you should really feel proud about it. Congratulations. Great job.

President Slifka: I was going to echo that and, again, state my apology. I think there would have been more applause if this had come up while all the 35 people who showed up were still here. But thank you for staying, Judy. This is fantastic work. I hope more of our residents get to see it. It is forward thinking. It is comprehensive. And it is doable. Often, we had gotten these kinds of suggestions in the past and they were aspirational but not achievable. We have actually gotten them to where there are things that we can do and what is fantastic about this document is it covers everything, as Tim indicated, and it is all doable. The economy will affect some things and some of the

speed, but it all stuff that we can implement here in town and will have an impact. So great job by Tim in coordinating all of this, and especially the committee. I am really sorry that they are not here, most of them are not here, because we owe them a real debt of gratitude. If this had been...I suspect other communities will be taking this up, as Tim had indicated that Portland will look into it, but I think that a lot of them, especially the bigger cities are going to first go look to hire a consultant to produce something like this. And when it is this comprehensive, it is something that I dare say would run into the six figures. And just like Mr. Van Winkle cited a couple of months ago in our presentation that the plan of Conservation and Development from the TP&Z, that is something that we relied on, our volunteers, and our town staff, to produce for free that the City of Bridgeport had taken some \$300,000.00, I think, to produce. This is even more comprehensive because, you know, arguably a TPZ document is, everybody has got a town planner, and this is something that is done with routine and there are lots of consultants out there in the market. With this, it is an emerging area and I think you would be paying an extra premium to get somebody to produce this quality. So this will be a great savings in the money in the future, but it also is saving us money today on things that we need to look at right now. So I applaud you, Tim. Mr. Van Winkle.

Mr. Van Winkle: It is on the website, so if someone wants to read it, they can go to our website and find it and read it and it is so cool what you did. We are a leader again for the effort that was put into this. So anyone who is interested can get it, read it, and help us implement.

Councilor Brennan: I just really wanted to say, I mean you said you, but that is you plural. There is so much work. I wrote just a very small amount. You just need to know that.

President Slifka: Thank you. Mr. Davidoff.

Councilor Davidoff: Thank you, Mr. Mayor. I would like to also, through you, Mr. Mayor, extend congratulations to Mr. Brennan and the members of the task force and I would like to ask if the Manager could send out an e-mail to the members of the tax force expressing the Council's commendation on work well done. We are not going to kill any trees. We are just going to basically send an e-mail. I think that when people volunteer their time to the town in various efforts, a thank you goes a long way in asking people to step up to the plate again to do things and as been said others conserve energy .

President Slifka: Good suggestion. Okay. With that, we call No. 16, Mr. Coursey.

ITEM #16: RESOLUTION (BRENNAN, SLIFKA, CANTOR, COURSEY, THORNBERRY, VERRENGIA) ENCOURAGING LAND USE APPLICANTS TO CONSIDER AND IMPLEMENT ENERGY EFFICIENCY MEASURES.

ADOPTED

WHEREAS, the consideration and implementation of sustainability principles and best practice measures in West Hartford is part of a nationwide effort to address Global Climate Change and otherwise promotes our collective well-being and is part of; and

WHEREAS, the Town Council has already adopted various sustainability measures as policy, has committed to the "20% by 2010 campaign", has agreed to both the "US Conference of Mayors Climate Protection Agreement" and the "EPA Community Energy Challenge" and is presently implementing a comprehensive energy plan and considering a Town Plan for Conservation; and

WHEREAS, it would be beneficial to the administration of the Town of West Hartford, the Town Plan and Zoning Commission and the Town Council to know the extent to which land use applicants have considered and implemented sustainability measures and best practices, including but not limited to: the reduction of greenhouse gas emissions; participation in CT Energy Efficiency Fund building design programs, adoption of LEED and/or Energy Star building guidelines; reduction of energy use through high efficiency technology systems and controls; use of optimized insulation values and high performance windows; conservation and efficient use of water; use of regionally-sourced materials with high recycled content and low VOC (volatile organic compound) to promote indoor and outdoor air quality; and the use of clean and renewable energy sources, including combined heat and power

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT all land use applicants are encouraged to consider and implement sustainability principles and best practice measures such as those recited herein in all applications involving significant construction, renovation or redevelopment of commercial structures and to describe their efforts to the Town Council, Plan and Zoning Commission and Town Planner in their application materials.

Vice President Coursey: I move that we adopt.

Councilor Brennan: Second.

President Slifka: Motion has been made and seconded. We already discussed it, so all those in favor? Those opposed? Motion carries. No. 17.

ITEM #17: RESOLUTION (BRENNAN, SLIFKA, CANTOR, COURSEY, THORBERRY, VERRENGIA) IMPLEMENTING WEST HARTFORD COMPREHENSIVE ENERGY PLAN.

ADOPTED

WHEREAS the Town Council adopted a resolution on December 9, 2008 calling upon the Town Manager and the Clean Energy Task force to work with other members of the community to develop a Comprehensive Energy Plan for the Town of West Hartford; and

WHEREAS members of the Clean Energy Task Force and other citizen volunteers have met at least weekly since adoption of said resolution to develop such a plan by researching energy plans of other municipalities across the country, conducting a preliminary analysis of annual energy use index for all buildings in town and engaging in community outreach efforts with stakeholders in West Hartford by holding a citizen forum to solicit comments and ideas and making a presentation to the Board of Education; and

WHEREAS the result of these efforts is embodied in the West Hartford Comprehensive Energy Plan attached hereto

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT the West Hartford Comprehensive Energy Plan is hereby adopted and implemented; and

BE IT FURTHER RESOLVED THAT the appreciation of the Town Council is hereby extended to the participants in this process: Roger Smith; Paul Popinchalk; Robert Palmer; Robert Bell; Joseph Campanella; Tom Coughlin; Rachel Hurvitz, Dylan Kletter and Kelly Kennedy.

(March 2009 West Hartford Comprehensive Energy Plan is filed in the Town Council Office, Room 312)

Vice President Coursey: I move that we adopt.

Councilor Brennan: Second.

President Slifka: We already discussed it. All those in favor? Those opposed? Motion carries. Congratulations again, everybody. Thanks, Tim. Okay. I am going to suggest we table #18 in light of the hour, that we still have an Executive Session, a Manager Report, etcetera. So that is a non-debatable motion. Mr. Coursey, do you want to move it?

Vice President Coursey: So moved.

Councilor Brennan: Second.

President Slifka: All those in favor? Those opposed? Motion carries. So we are up to report from Town Manger. Mr. Van Winkle.

REPORTS:

ITEM #20: FROM TOWN MANAGER

Mr. Van Winkle: Here we are at this late hour and I see in all your eyes, you know, you don't want to hear from the Town Manger and I appreciate you moving it up to the front

because I have a slew of things I would like to talk about, not just to you but to the public about what is going on in West Hartford. I won't do that tonight. We will move it up to the front. But it is a great example of, you know, there are a lot of things we need to communicate and I appreciate you moving it up. I would correct one thing. A speaker earlier tonight said that we were doing a construction project without a competitive bid. Of course, we are not doing that. We competitive bid all of our projects and that was competitively bid. We awarded it to the low bidder and saved substantial money. So just correct it. That's all I have.

President Slifka: Thank you. I point out, you know...who watches the show PTI on ESPN? Have you ever seen that? They have a thing at the end where somebody comes on for the last minute and says, they do corrections of things that were stated, and it seems to me that we now have, it is a part of the Council meeting where we have to correct misstatements that, not people from here said, but. Maybe we will have to put that on the Agenda some other time. Okay, are there questions for Mr. Van Winkle right now? Mr. Adler.

Councilor Adler: (inaudible)

President Slifka: Okay. Just one announcement because it is right on top of us. West Hartford's Cooking is on March 14. The Foundation for West Hartford Public Schools presents West Hartford's Cooking on Saturday, March 14, 2009, from 6:00 to 8:30 P.M. here in the Town Hall Auditorium. Join your favorite celebrity chefs from the Town Council Board of Education, principals, and local businesses, for an evening of food, fun, and silent auction, a food extravaganza. All proceeds directly benefit the West Hartford public schools students and teachers by funding our many grants and artists and residents programs. If you have questions or you want tickets...you can just show up that day. They will let you in at the door. But you can also call 561-8755. Mr. O'Brien, Corporation Counsel report?

ITEM #21: FROM CORPORATION COUNSEL

Mr. O'Brien: Yes. I would like to very briefly report some good news in pending litigation that we are going to be discussing in Executive Session. As you all know, the Town of West Hartford, along with Blue Back Square Associates, filed a law suit against Taubman Centers, Inc., which Taubman owns West Farms Mall, but through that entity, they filed a multiplicity of law suits trying to stop the Blue Back project, all of which were either dismissed or withdrawn, all of which we prevailed on. We filed a claim that this litigation was without any probable cause. We have five counts, five causes of action. The defendants challenged those in a Motion to Strike saying we did not state sufficient facts to prove the cause of action or to state a cause of action. Just a few days ago, Judge Eveleigh, who is overseeing the litigation, ruled in our favor entirely and sustained all of our counts. So, the case will proceed just as we pled it and this is a very good result for the town and for Blue Back Associates. Other than that, I will be happy to answer any questions, but I do know we need a brief Executive Session to talk about this particular case.

President Slifka: Okay. Any questions for Mr. O'Brien that are not Executive Session? Seeing none. We get to No. 25, Mr. Coursey, Adoption of the Consent Calendar.

Vice President Coursey: I'll let Mr. Brennan handle that.

ITEM #25: ADOPTION OF CONSENT CALENDAR:

ITEM #13: RESOLUTION AUTHORIZING TOWN MANAGER TO EXECUTE A PUBLIC HIGHWAY EASEMENT WITH AT&T

WHEREAS improvements being constructed at the intersection of South Main Street and Sedgwick Road; and

WHEREAS these improvements are expected to improve the safety and efficiency of this intersection significantly; and

WHEREAS the proposed improvements require a widening of the Town's public street rights of way upon the property currently owned by AT&T; and

WHEREAS AT&T has agreed to grant the required easement to the Town in the form attached hereto (Public Highway Easement is in the Town Clerk's Office, Room 313)

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF WEST HARTFORD THAT the Town Manager is hereby authorized to execute an easement in favor of the Town in substantially the form attached hereto.

(Public Highway Easement is filed in the Town Clerk's Office, Room 313)

Councilor Brennan: I move that we adopt the Consent. Before I do that, I need to read into the record: Letter dated March 3, 2009 from Jeffrey Daniels, Chairman for the Town Planning and Zoning Committee Commission recommending approval for the resolution authorizing Town Manager to execute a Public Highway Easement with AT&T.

ITEM #22: FROM TOWN PLAN AND ZONING COMMISSION RE: RESOLUTION AUTHORIZING TOWN MANAGER TO EXECUTE A PUBLIC HIGHWAY EASEMENT WITH AT&T – RECOMMENDING APPROVAL

President Slifka: Is there a second?

Councilor Verrengia: Second.

President Slifka: Seconded by Mr. Verrengia. A note, Mr. Coursey has recused himself from consideration of that item, for the record. All those in favor? Those opposed? Motion carries.

ITEM #26: APPOINTMENTS:

President Slifka: We have one appointment. I would like to entertain a motion to appoint Kevin Ahern as a Council Zoning Alternate, term ending December 31, 2011.

Vice President Coursey: So moved.

Councilor Brennan: Second.

President Slifka: All those in favor? Those opposed? Motion carries. Congratulations, Kevin. He just had a baby, so he now has an excuse to get out of the house every once in a while. I can empathize. Now I entertain a motion to go into Executive Session to discuss pending litigation.

ITEM #27: EXECUTIVE SESSION: 10:25 P.M. TO DISCUSS PENDING LITIGATION.

Vice President Coursey: So moved.

Councilor Brennan: Second.

President Slifka: All those in favor? Those opposed? We are in Executive Session.

ITEM #25: ADJOURNMENT:

President Slifka: Move to Adjourn?

Vice President Coursey: So moved.

Councilor Brennan: Second.

President Slifka: Those in favor? Opposed? Motion carries. We're adjourned.

Meeting adjourned at 11:20 P.M.

Essie S. Labrot
Town Clerk/Council Clerk

/hlc